

Chesapeake Bay Critical Area Commission

Chesapeake Bay Maritime Museum
St. Michael's, Talbot County, Maryland

May 1, 1996

AGENDA

SUBCOMMITTEES

PROJECT

MEMBERS: Schoeplein, Langner, Bourdon, Cooksey, Phillips, Foor, Corkran, Blake, Goodman, Shepherd, Hean, Thomas

11:00 a.m. - Shore Erosion Control, Martinak State Park
MNCPPC Bladensburg Marina
Seagirt Marine Terminal, Phase II
Maryland Port Administration (MPA)
Wetland Enhancement, Sandy Pt. SP (DNR)

Mary Owens, Planner
Theresa Corless, Planner
Dawnn McCleary, Planner

Lisa Hoerger, Env.Sp.

12:00 p.m. - 1:00 p.m. - LUNCH

PLENARY MEETING

1:00 p.m. - 1:05 p.m. Approval of Minutes of April 3, 1996 John C. North, II, Chair

ADMENDMENTS AND REFINEMENTS

1:05 p.m. - 1:25 p.m. REFINEMENT Worcester County Growth Allocation, Mason Property Mary Owens, Planner

PROJECT EVALUATION

1:25 p.m. - 1:50 p.m. VOTE MNCPPC Bladensburg Marina Theresa Corless, Planner
Anne Agee (MNCPPC)

1:50 p.m. - 2:15 p.m. VOTE Seagirt Marine Terminal Phase II Dawnn McCleary, Planner

2:15 p.m. - 2:25 p.m. VOTE Martinak State Park Shore Erosion Control Mary Owens, Planner

2:25 p.m. - 2:35 p.m. VOTE DNR Sandy Pt. State Park Lisa Hoerger, Env. Spec.

2:35 p.m. - 2:45 p.m. Old Business - *Bart. Co.*
New Business - *Summer* John C. North, II, Chairman

PK

Chesapeake Bay Critical Area Commission

Department of Housing and Community Development
Crownsville, Maryland

approval

April 3, 1996

The Chesapeake Bay Critical Area Commission met at the Department of Housing and Community Development, Crownsville, Maryland. The meeting was called to order by John C. North, II, Chairman, with the following Members in attendance:

Barker, Philip, Harford County
Blake, Russell, Worcester County
Corkran, Bill, Talbot County
Greenfield Vickie for Curry, Wayne K., Prince George's County
Duket, Larry, Maryland Office of Planning
Evans, Diane, Anne Arundel County
Foor, James, C., DVM, Queen Anne's County
Janey, Neal M., Baltimore City
Johnson, Samuel Q., Wicomico County
Langner, Kathryn, Cecil County
Lawrence, Louise, Md. Department of Agriculture
Moxley, Stephen, Baltimore County
Myers, Andrew, Caroline County
Phillips, G. Steele, Dorchester County
Pinto, Robert, Somerset County
Robinson, Edward, Kent County, MAL
Schoeplein, Bob, DBED
Shepherd, Dr. Gloria, State Highway Administration
Whitson, Michael, St. Mary's County
Williams, W. Roger, Kent County

The Minutes of March 6, 1996 were approved as read.

Chairman North introduced Susan McConville, the newest Staff planner of the Critical Area Commission. Ms. McConville has a Master's degree in Land Use and Environmental Planning from the University of North Carolina. While pursuing that degree, she worked for the Nature Conservancy on site design and conservation measures of the Black River, significant for its 2,000 year old cypress. She is also a graduate of the University of Notre Dame.

Chairman North introduced Mr. Steve Cover of Anne Arundel County. Mr. Cover told the Commission that the Maryland Economic Development, Resource Protection and Planning Commission received the Governor's award of recognition for their Critical Area Buffer Exemption Program in the legislation category for 1995.

Lisa Hoerger, Environmental Specialist, CBCAC presented for Vote the Anne Arundel County Mapping Mistake, Enyart Property. Ms. Hoerger presented this request for information at the Commission's March meeting. She said that the request is based on a drafting error in drawing the 1000' boundary line. The line was drawn from the head of non-tidal wetlands instead of tidal wetlands. The County has determined that the 1000' line drawn from tidal wetlands using the 4-foot contour criterion is the same line as the 1972 State Wetlands Maps depict. The County had to apply this 4-foot contour criterion in determining the correct line because it is in their

approved Program. This declassification will remove 1.15 acres from the County's Critical Area. Commissioner Larry Duket made the recommendation that the Commission and staff communicate and encourage Anne Arundel County that when they do their four year update that they look at this issue of mapping error and whether it warrants additional map changes or not. Larry Duket further reiterated that this is a typical mapping mistake, drafting error. He stated that the Anne Arundel County panel for the Enyart Mapping Mistake finds that the declassification of subject site is consistent with Critical Area law and criteria and moved that the full Commission approve the requested map change. The motion was seconded by Dr. Foor and carried unanimously.

Theresa Corless, Planner, CBCAC presented for VOTE the Queen Anne's County Comprehensive Review. Ms. Corless stated that this was presented for a vote at the November 1, 1995 Commission meeting and the Comprehensive Review was approved but due to some mix-ups and difficult weather this winter the County was not able to adopt the Comprehensive Review within a prescribed time as the decisive hearing was scheduled during "the blizzard". She said that the original submission approved in November is being presented again with four additional small changes. A hearing was held on April 1, 1996 that included the four changes. Christina Pompa, Queen Anne's County Planning, described the four changes. She said that Queen Anne's County has specific guidelines for the use of growth allocation. As part of Queen Anne's County's effort to implement the 1992 Planning Act, communities are putting together their own plans to help channel growth to areas with existing infrastructure (growth sub-areas) and 75% of growth allocation will be assigned to these areas; whereas, the remaining 25% can be used anywhere in the County, but must be of substantial benefit to the County. The four changes are:

- 1) Residential has been added to the list of projects in the Critical Area Program determined to be of substantial economic benefit.
- 2) Delete "Applications for Growth Allocation which have been approved by the County Planning Commission will be reviewed at a Planning Commission hearing" and add instead "Following its review the Planning Commission will hold a public hearing."
- 3) Add language to the Growth Allocation accounting section which allows RCA projects determined to be of substantial economic benefit to residents of the County or that meet a recognized public need which are not adjacent to existing LDA or IDA to be eligible to have only a development envelope counted against Growth Allocation.
- 4) Add "residential" to the list of projects determined to be of substantial economic benefit (changes the Critical Area Ordinance on page 68 of the Ordinance).

Ms. Pompa also said that the other change identified at the hearing was in the very last section of the ordinance and deals with the effective date of the ordinance which reads "This ordinance shall become effective immediately upon passage" and in essence that is not true. Under Article 25B, State Regulation, County Code Rule, whatever is approved, be it Critical Area Ordinance, mapping mistake, etc., it will not be effective until 45 days after passage. Bob Schoeplein moved on panel recommendation to approve the new program and ordinances of the Queen Anne's County Comprehensive Review as presented before the panel on April 1, 1996 and as summarized before the Commission on April 3, 1996 to include a change to the first sentence of section 7036 of the Queen Anne's County Critical Area ordinance to now read "this ordinance shall become effective 45 days after passage". The motion was seconded by Kay Langner and carried 17-0. Dr. Foor recused himself from the vote.

Dawnn McCleary, Planner, CBCAC presented for Concurrence with the Chairman's determination of Refinement the annexation/map change for the City of Annapolis. The request is for 13.84 acres known as the Medicare Site located in Bembe Beach. Ms. McCleary said that there will be no change in designation of LDA or use of land or water. The Commission supported the Chairman's determination.

Ms. Pudelkewicz presented for VOTE the second project of JPPM, a proposal for a shore erosion control project along the Patuxent River which is a part of a multi-owner project to protect over 800 feet of shoreline. The actual project at JPPM will involve filling, grading and planting marsh vegetation along 250 feet of eroding shoreline. The needed permits have been received. Mike Smolek, Director of JPPM talked about the project stating that this is just one in a series of projects that have been ongoing since 1987 in conjunction with EPA and DNR. Kay Langner moved to approve the Jefferson Park Shore Erosion Control project. The motion was seconded by Bob Schoepfle and carried unanimously.

Dawnn McCleary, Planner, CBCAC, presented for Information the Maryland Stadium Authority's proposed NFL Football Stadium at Camden Yards: Utility Relocation and Excavation. Kim McCalla, Maryland Stadium Authority, described the technical aspects of Phase I of the proposed Stadium: utility relocations, mass excavation/demolitions, foundations, site utilities/service connections and site developments. John d'Epagnier, RK&K consultants, talked about the construction activities in the Critical Area. He said that all of these activities will need MDE approvals. Final site design development plans are more than a year away. Ms. McCleary stated that there will be two more phases to come before the Commission as the stormwater management issue has not been resolved. A team comprised of members of the Critical Area Commission, MDE, Baltimore City, and the Stadium Authority has been formed to deal with achieving the 10% stormwater management reduction. The first proposed form of development will be for utility relocation and excavation on the existing parking lot. This work should begin in May, following approval by the Commission.

NEW BUSINESS

Ms. Pudelkewicz announced that Commission staff will prepare and distribute a questionnaire for all Commission members to complete and return with suggestions for how staff can help them become more familiar with the Critical Area Program. She said that this is a good opportunity to be of service to help orient and educate all Commission members and particularly since there are now several new members.

OLD BUSINESS

There was no old business reported.

Chairman North announced the May Commission meeting will be held in St. Michaels with further details forthcoming.

There being no further business, the meeting adjourned.



Submitted by: Peggy Mickler
Commission Secretary

STAFF REPORT

May 1, 1996

APPLICANT: Department of Natural Resources Public Lands and Forestry,
Greenways and Resource Planning

PROJECT: Shore Erosion Control: Martinak State Park
(Caroline County)

COMMISSION ACTION: Vote

RECOMMENDATION: APPROVAL with the condition that all live, standing trees within the 100-Foot Buffer that are removed shall be replaced on a one-to-one basis.

DISCUSSION:

The Department of Natural Resources is requesting approval of a shore erosion control project at Martinak State Park on Watts Creek and the Choptank River. The project involves four sites. The first site, identified as Area 4 involves the construction of 520 feet of riprap revetment in Watts Creek with none of the work extending more than 25 feet channelward of mean high water. The second and third sites, identified as Area 2 and Area 3 involve the construction of 528 linear feet of stone sill and the placement of sand behind the sill for marsh planting. Approximately 4,400 square feet of tidal marsh will be created adjacent to the Choptank River. The final project site, located between Area 2 and Area 3 is where 225 square feet of riprap outfall protection will be installed in order to reconstruct and improve an existing stormwater outfall.

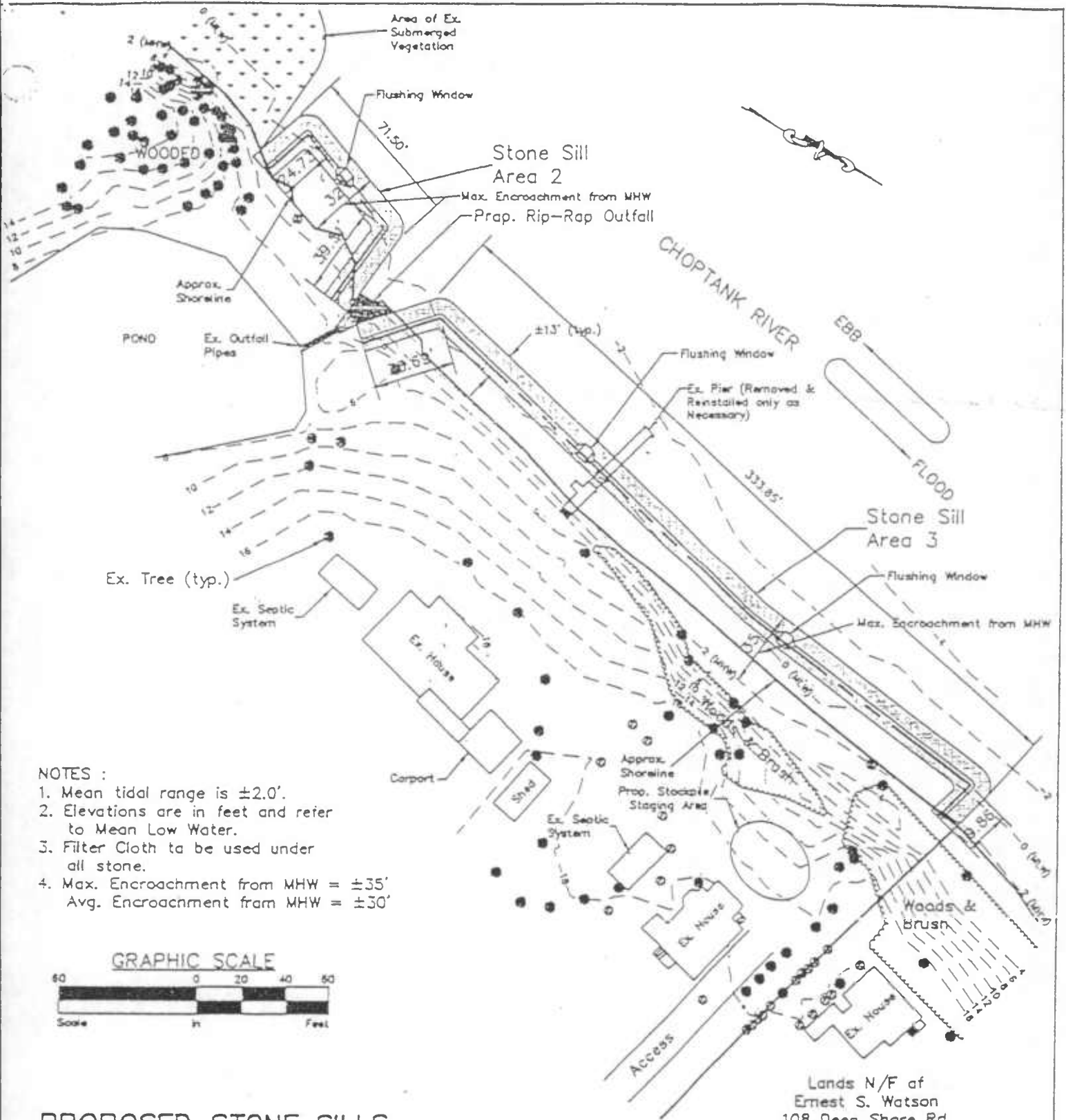
ANALYSIS:

This project is necessary because of the existing erosion in these areas. The erosion problem has accelerated in the last several years due to the undercutting of mature trees which have fallen into the water and contributed to an unstable condition on the banks of the Creek and the River. Some fallen trees along the shoreline will need to be removed in order to install the revetment, and some trees will need to be pruned in order for adequate sunlight to reach the plants installed at the marsh creation site. Approximately five trees within the 100-Foot Buffer will need to be removed in order to access the construction site. One-to-one mitigation will be required for the removal of these trees.

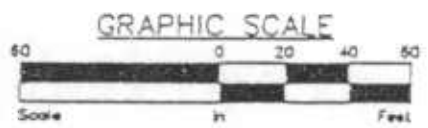
APPLICABLE LAW: COMAR 27.02.05, State Agency Actions Resulting in
Development on State-Owned Lands

COMAR 27.01.04, Shore Erosion Protection Works

STAFF: Mary Owens



- NOTES :
1. Mean tidal range is $\pm 2.0'$.
 2. Elevations are in feet and refer to Mean Low Water.
 3. Filter Cloth to be used under all stone.
 4. Max. Encroachment from MHW = $\pm 35'$
Avg. Encroachment from MHW = $\pm 30'$



PROPOSED STONE SILLS
 MARTINAK STATE PARK
 CAROLINE COUNTY, MARYLAND

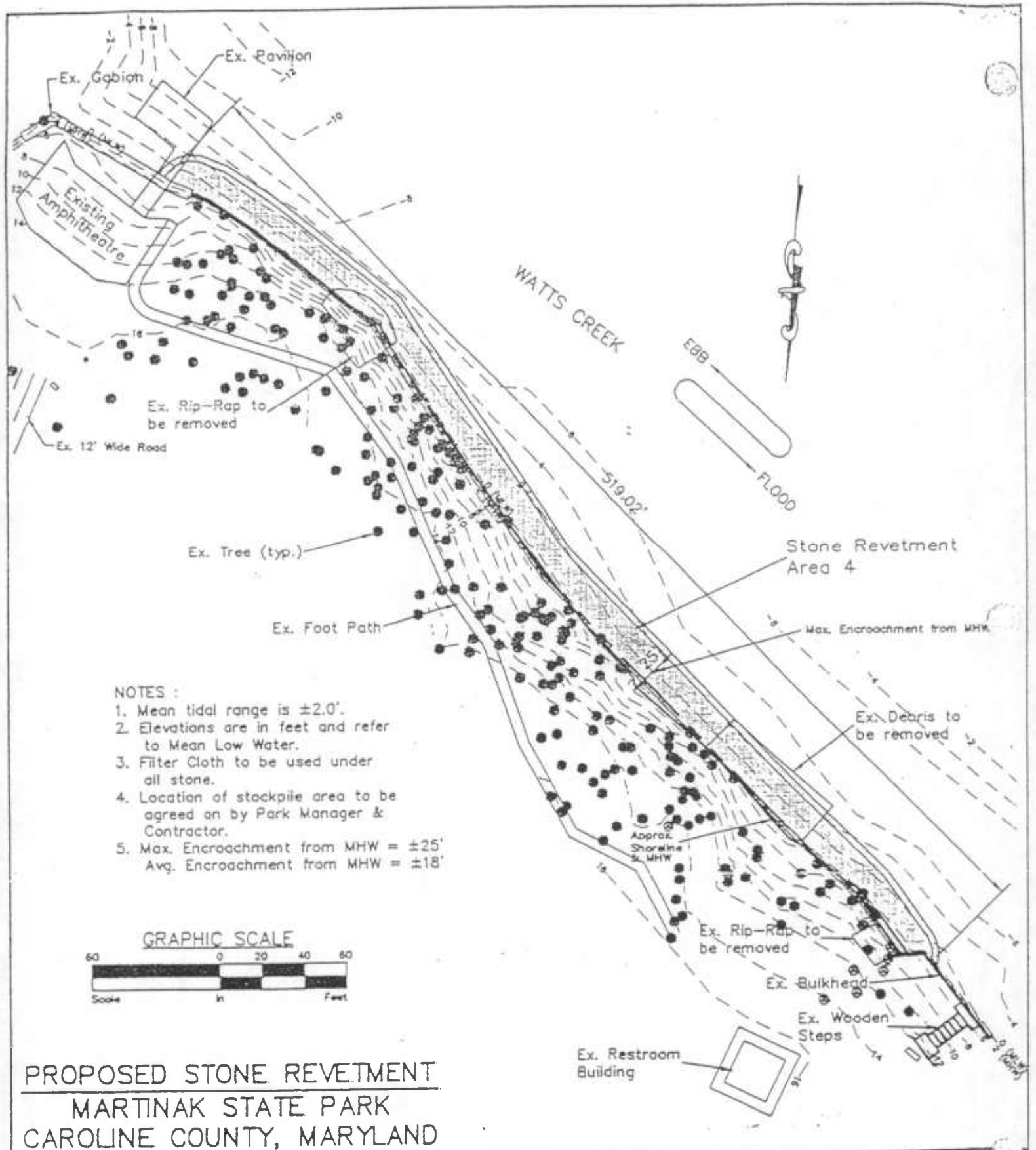
Lands N/F of
 Ernest S. Watson
 108 Deep Shore Rd.
 Denton, MD

APPROVED BY :
 Maryland Department of Natural Resources

PREPARED BY :
 & SOULÉ
 ASSOCIATES, P.C.
 SALISBURY, MARYLAND 21801

ENGINEERING
 SURVEYING
 PLANNING

SHEET
 2 OF 5
 DATE
 May 1995



APPLICATION BY :
Maryland Department of Natural Resources

PREPARED BY :
& SOULÉ
& ASSOCIATES, P.C.
SALISBURY, MARYLAND 21801

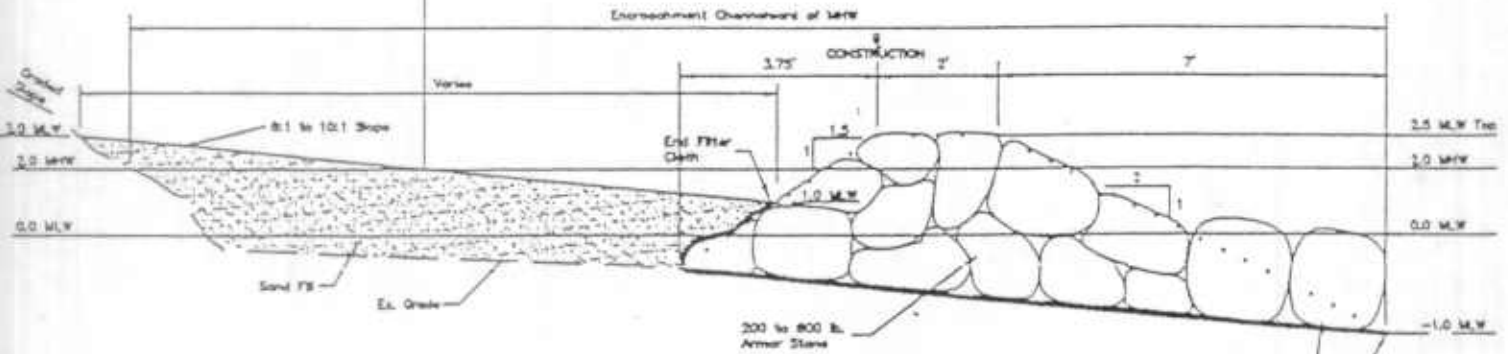
ENGINEERING
SURVEYING
PLANNING

SHEET
4 OF 5

DATE
Nov. 1995

For Application Purposes Only, Not For Construction

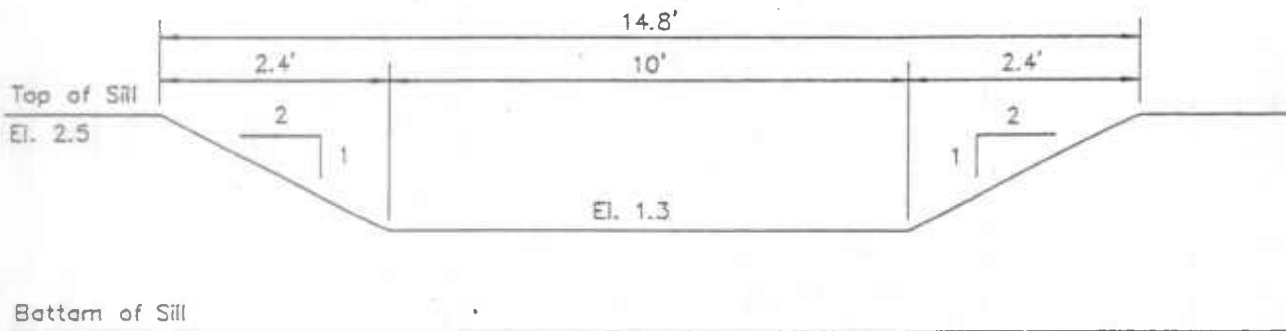
Plantings
Panicum Virgatum, Scripus Pungens



TYPICAL ARMOR STONE SILL & MARSH PLANTING SECTION

NTS

CONTRACTOR TO SELECTIVELY PLACE LARGER STONES AT THE TOP OF THE SILL WITH THE REMAINDER PLACED IN A WELL GRADED DISTRIBUTION. STONES TO BE PLACED ON EXISTING BOTTOM. NO EXCAVATION REQUIRED.



FLUSHING WINDOW DETAIL

NTS

PROPOSED STONE SILLS
MARTINAK STATE PARK
CAROLINE COUNTY, MARYLAND

APPLICATION BY :
Maryland Department of Natural Resources

PREPARED BY :
& SOULÉ
ASSOCIATES, P.C.

ENGINEERING
SURVEYING
PLANNING

SHEET
3 OF 5

DATE

STAFF REPORT
May 1, 1996

AGENCY: Maryland-National Capital Park and Planning Commission

PROJECT: Bladensburg Marina Revitalization and Waterfront Park

JURISDICTION: Prince George's County

COMMISSION ACTION: Vote

STAFF CONTACT: Theresa Corless

STAFF RECOMMENDATION: Approval, with Conditions

DISCUSSION:

The Maryland-National Capital Park and Planning Commission (MNCPPC) is proposing a major revitalization of the old Bladensburg Marina, which is located on the banks of the Anacostia River in Prince George's County. The marina has been owned by MNCPPC since the mid-1970s and was operated by concessionaires until 1993. In recent years the marina has deteriorated significantly and the boat basin has filled in with sediment. Since 1993 MNCPPC has refurbished the dilapidated marina and has begun activities and programs for the public including educational boat tours, nature interpretation programs, and expanded hours for public fishing and boating. MNCPPC requested and was granted Buffer exemption status for the marina property on the east side of the river, in September 1994.

The Marina Revitalization and Waterfront Park proposal is part of a larger effort to restore water quality to the Anacostia River and revitalize the surrounding municipalities of Cottage City, Colmar Manor, and the Town of Bladensburg. It is MNCPPC's intent to create a passive day-use waterfront park which will serve as a pedestrian link between the three municipalities, a historical center for exhibits about Prince George's County's colonial history, and an environmentally sensitive area which demonstrates the diversity of plant and animal life which live along the Anacostia River.

The Marina Revitalization and Waterfront Park project will be accomplished in five phases over the next five to six years. It will include general improvements such as: removing old piers and pilings and replacing them with new piers floating docks, replacing the existing deteriorated bulkhead, improving the brick work around the visitors center, building a new boat ramp, storm channel improvements, and landscaping. The Waterfront Park will also contain a history museum, a retail building and plaza area, two pole barns to be used for a farmers' market and a tobacco wharf display, and an amphitheater with a tour boat landing. Other improvements

include a hot air balloon launch, fishing piers, bike trail nodes, wetland creation on both sides of the river, a pedestrian bridge over Quincy Run and two pedestrian bridges over the Anacostia River. The attached phasing plan details the improvements to be accomplished during each phase of the project.

In 1994 MNCPPC received, from the State of Maryland a series of grant funds to be matched by the County, with the stipulation that construction begin by the summer of 1996. The bonds are to be yearly with MNCPPC required to reapply for each phase. For Phase I the bond amounts are as follows:

BOND AMOUNT FOR PHASE I

(See attached phase list for Phase I activities)

- \$1.6 million, to be matched
- \$500,000, no match required
- \$40,000, for design of bulkhead, to be matched
- \$125,000, for construction of the bulkhead, to be matched

This project is consistent with the requirements of COMAR 27.02.05, STATE AGENCY ACTIONS RESULTING IN DEVELOPMENT ON STATE-OWNED LANDS.

CONDITIONS:

1. MNCPPC must develop a plan to meet the 10% pollutant loading requirement.
2. Critical Area Commission staff must be notified of any changes to the approved plan. Major changes will require Critical Area Commission approval.

HISTORIC BLADENSBURG WATERFRONT PARK REVISED PHASING PLAN

Phase I

Construction of two-way park entrance.

Upgrade maintenance building including: lights, bathrooms and exterior walls.

Construction of historic shipbuilding demonstration area where replicas of 18th and 19th century ships will be built by artisans and craftsmen. (Note: already underway in an existing building).

Remove existing piers and pilings (MNCPPC has a Tidal wetlands letter of exemption and a Army Corps of Engineers Nationwide Permit to cover this activity)

Construct two pole sheds/barns to be used for farmers market and a tobacco wharf display. (Note: Construction may depend of completion of the levee upgrade).

Relocation of parking area to behind the levee, includes construction of stairway/switch back ramp down off the levee. (Note: The parking lot removal near the bulkhead can begin immediately. However, work behind the levee may be dependent of completion of the levee upgrade).

Landscaping (Note: Some landscaping may not be completed until levee has been completed).

Improve brickwork around existing visitors center.

Preliminary site work for pedestrian bridge over the Anacostia and Quincy Run.

Phase II

Replacement of existing deteriorated bulkhead

new boat ramp

Construction of new piers/floating docks and boat servicing facilities (gas pump and pump out).

Wetland creation within boat basin

Storm channel improvements

Pedestrian bridge

Construction of revetment and esplanade

Phase III

Construction of pedestrian Bridges and Connecting Trails:

Anacostia River pedestrian bridge

Quincy Run pedestrian bridge

Bladensburg road pedestrian bridge

Phase IV

Construction of facilities on the west side of the river (Colmar Manor side).

Amphitheater with tour boat landing

Balloon launch

Bike trail nodes

Fishing piers

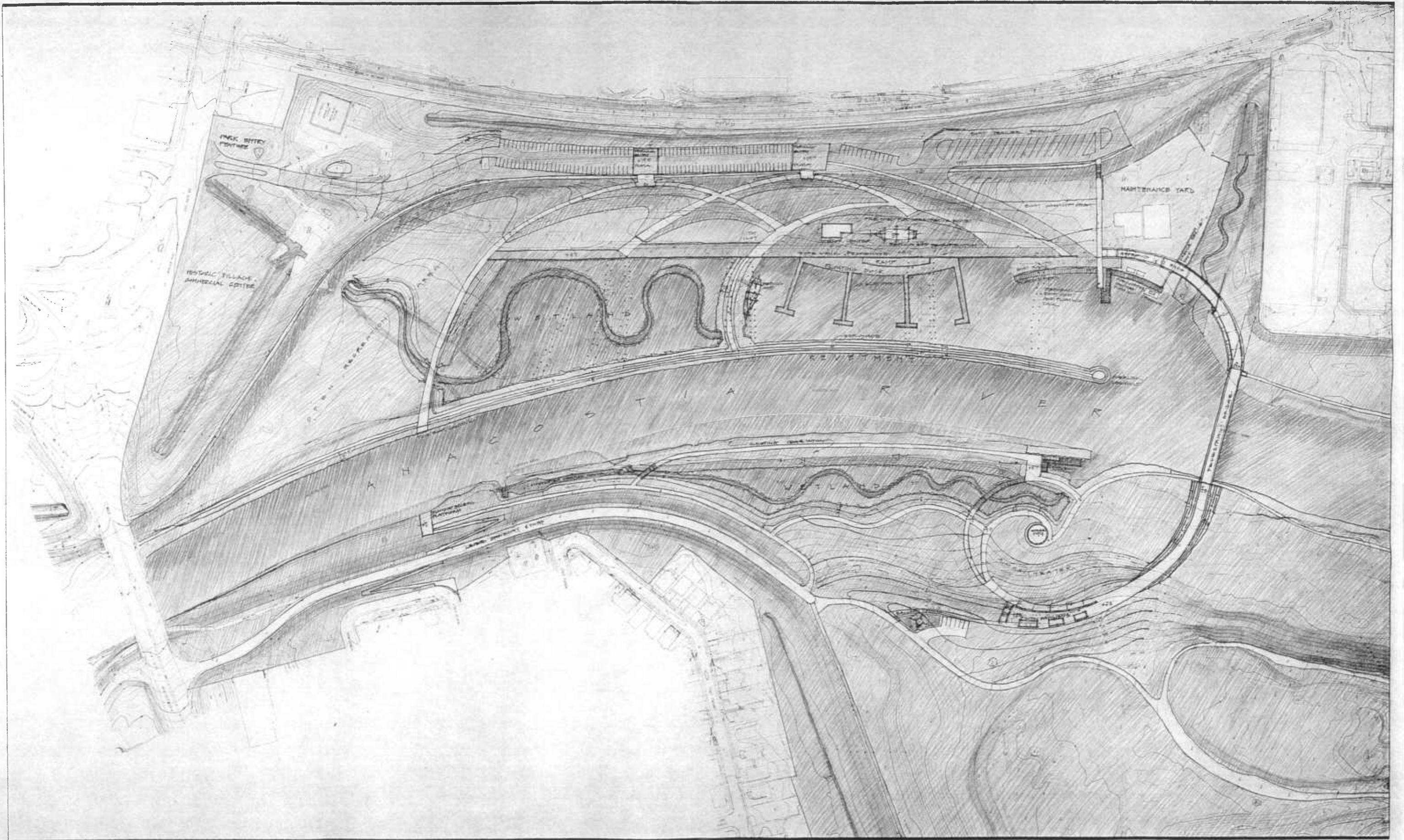
Wetland creation

Phase V

History museum

Retail building

Plaza area



Maryland-National
Capital Park and
Planning Commission

6600 Kenilworth Road Riverdale, MD 20737
Phone: 301-699-2525 Fax: 301-277-6163

WALLACE ROBERTS & TODD
Environmental Planning Urban Design Landscape Architecture Architecture
280 South Broad Street Philadelphia, PA 19102 Phone: 215-732-5215 Fax: 215-732-2531

Rummel Klepper & Kahl
81 Mather Street
Baltimore, MD 21217

Coastal Resources Inc.
110 Annapolis Street, Suite C
Annapolis, MD 21401

1" = 60'



Historic Bladensburg
Waterfront Park

Prince George's County Bladensburg, Maryland

Progress Grading Plan

Project No. 96-2732	Designed By O.B.	Drawn By	Checked By
Date 29 Apr. 1998	Scale		

Get Revised Staff Report

City has no problem

*K. Laryne approve
C. Phillips / C.U.*

**Final Staff Report
May 1, 1996**

APPLICANT: Maryland Port Administration

PROJECT: Seagirt Marina Terminal:
Berth IV Development Phase 2 Construction

JURISDICTION: Baltimore City

COMMISSION ACTION: Vote

**HISTORICAL\BACKGROUND
INFORMATION**

The Seagirt Marine Terminal is a container handling facility owned and operated by the Maryland Port Administration. The terminal is located along the north shore of the Patapsco River at the confluence with Colgate Creek in the Canton section of Baltimore City (See location map). Berth IV is situated on the easternmost end of the terminal and is the last remaining undeveloped parcel. Berths I, II, and III have been developed and comprise approximately 105 acres of paved surface.

Berth IV currently exists as a 34-acre mixed land use site. Approximately 8.6 acres is used for chassis storage as concrete and bituminous paved lots. The remainder of the site consists of a surcharge embankment and inboard trench behind a steel cofferdam cell structure on the south and east perimeter of the site. This undeveloped section of the facility, or 23.0 acres, is scheduled to be developed over the next three years as two separate contracts.

PROPOSED DEVELOPMENT:

The first phase contract, Phase 2, Berth IV Development, will convert 8.2 acres of undeveloped area in addition to the 8.6 acres of redeveloped area to total 16.8 acres for container storage and access roadway. Under this contract, 14.8 acres in the southern half of the berth will be surcharged to accelerate consolidation of underlain compressible soils, with 2.4 acres will be excavated behind the cofferdam cells to elevation 0 and reserved as wet pond.

Phase 3 is another proposed development scheduled to start after the consolidation of Area C.

Continue, Page Two
Seagirt Marine Terminal
Final Staff Report
May 1, 1996

When completed, it will add an additional 14.79 acres of paved surface to that constructed under the above Phase 2. The completion of the 10% Rule Worksheet A resulted in the applicant choosing the most feasible Best Management Practice (BMP) . Three wet ponds have been chosen to go behind the cofferdam cells fronting Colgate Creek and Patapsco River. The pollutant removal requirement is 195.35 lbs. of phosphorus, of which 122.67 lbs. are removed through the design of the BMP. The remaining 72.69 lbs. of total phosphorus cannot be managed on-site due to operational constraints. Because of this, the applicant has proposed that an offset project within the Colgate Creek Watershed be chosen to fully meet the pollutant removal requirements of the Berth IV development. The applicant will coordinate the project with the City. If a mitigation site cannot be found, the applicant has offered to pay into the City's Buffer Offset Fund.

DISCUSSION:

There are several issues concerning Berth IV development Phase 2 construction. They are as follows:

1. New paving (7.14 acres) within the Critical Area at Area B;
2. Repaving (8.22 acres) of Area A;
3. The surcharging of Area C (17.18 acres) to accelerate consolidation of underlying soft compressible soils;
4. Parts of Area C (2.4 acres) behind existing cofferdam structure will be excavated to about - 1.0 deep and reserved as about three wet ponds;
5. Establishment of several offset project some where with the Colgate Creek Watershed to meet the pollutant removal requirements of ultimate Berth IV development.

Continue, Page Three
Final Staff Report
Seagirt Marine Terminal
May 1, 1996

STAFF RECOMMENDATION: Staff recommends approval with conditions that:

1. A letter from the Maryland Department of the Environment (MDE) be sent to Maryland Port Administration and Chesapeake Bay Critical Area Commission approving the three wet ponds, especially the wet pond going in around the cofferdams.
2. Approval of the site's sediment and erosion control plans by MDE before construction occurs.

**Applicable Law/Regulation: Chapter 5: State Agency Actions Resulting in Development
on State-Owned Lands (COMAR 27.02.05.02)**

Contact Person: Dawnn McCleary, Natural Resources Planner

K. Donagan - motion in Council to approve
Sec(?) Schaeffer Phillips

STAFF REPORT

May 1, 1996

APPLICANT: Department of Natural Resources, Watershed Restoration Division

PROJECT: Sandy Point State Park, Wetland Enhancement Project,
Anne Arundel County

COMMISSION ACTION: VOTE

RECOMMENDATION: Approval, with condition

DISCUSSION: The Department of Natural Resources, Watershed Restoration Division, is proposing a wetland enhancement and restoration project at Sandy Point State Park in Anne Arundel County. The purpose of this project is to restore this wetland area to provide habitat for both terrestrial and aquatic species, and to promote Bay conservation. This project will also serve as a demonstration for National Wetlands Month (May), as local school children will work along with DNR, MDE and CBF personnel in the planting. This project is a cooperative effort between DNR, MDE and CBF.

ANALYSIS: The one and one half acre site consists of a mowed, grassed field that currently contains some nontidal wetlands. The proposed project will utilize two different wetland restoration and enhancement techniques: minimal excavation and moist soil management. The depressions created by the minimal excavation will create habitat for amphibians and other aquatic organisms. Through moist soil management, waterfowl and other shorebirds will gain habitat. Native species will be used for this project (see diagram on next page). The project will not impact any Habitat Protection Area (HPAs).

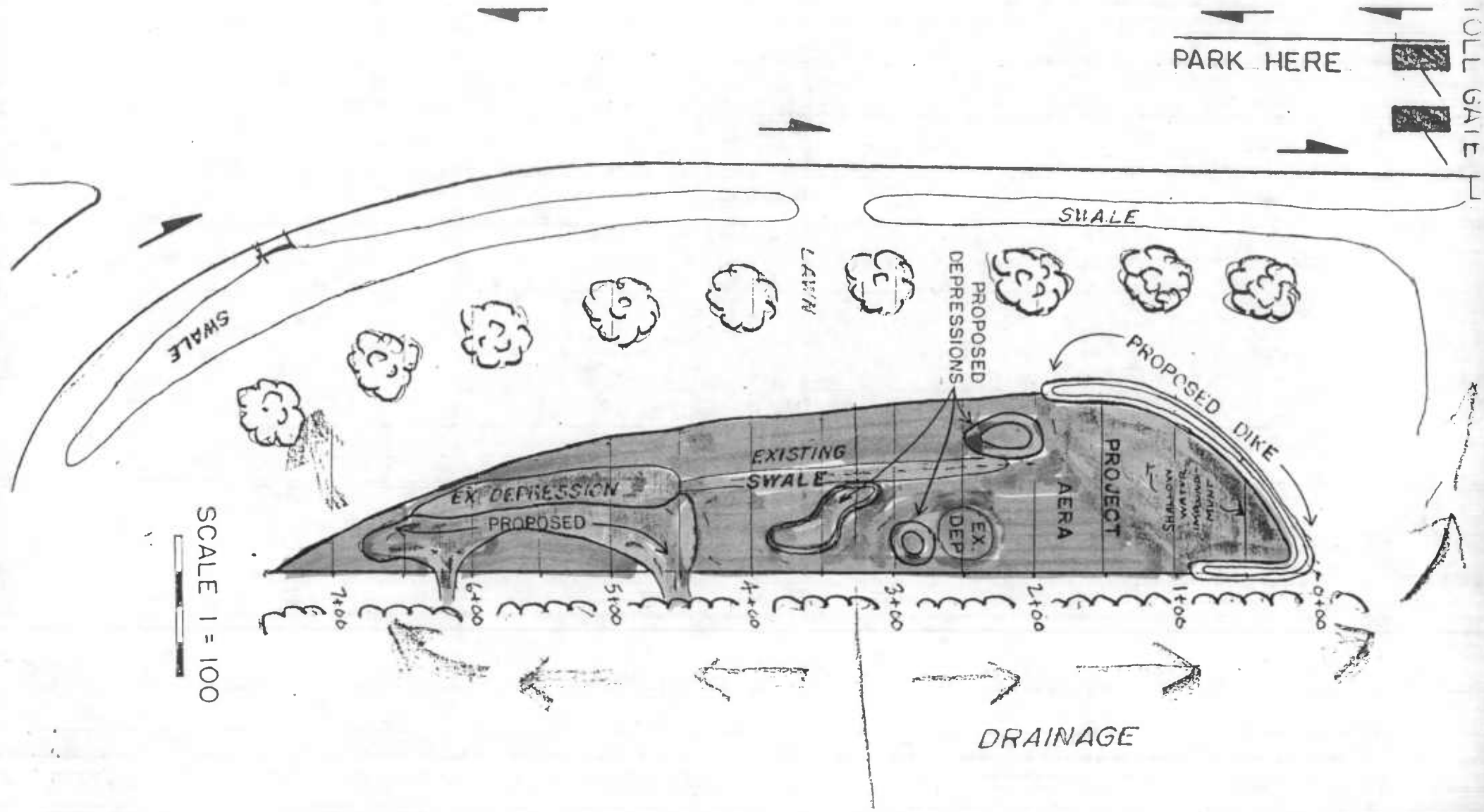
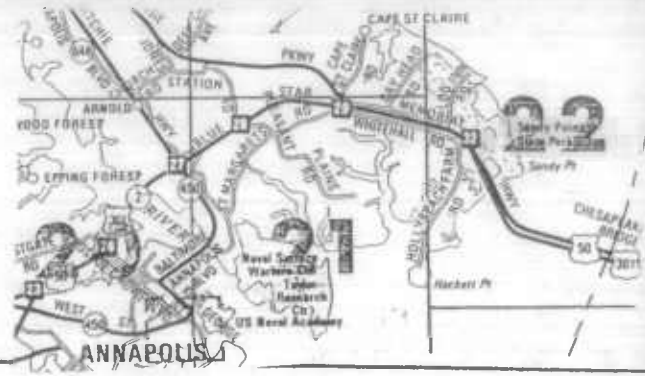
CONDITIONS: Approval is contingent upon the following condition:

- No activity shall commence without a letter from the Heritage Division of DNR that states no threatened or endangered species or species in need of conservation will be impacted.

APPLICABLE LAW/REGULATION: With the above condition, the project will satisfy the requirements of 27.02.05., State Agency Actions Resulting in Development on State-Owned Lands.

STAFF: Lisa Hoerger

- Forested Wetland - To be planted in Red Maple, Ash, Sycamore, and Swamp White Oak
- Open Water/Emergent Wetland - To be planted with Tussock Sedge, Soft Rush and Sweet Flag
- Scrub-Shrub Wetland - To be planted with Alder, Silky Dogwood and Sweet Pepper Bush



STAFF REPORT
(Revised April 30, 1996)
May 1, 1996

APPLICANT: Worcester County Commissioners

PROJECT: Growth Allocation Request: Robert D. Mason Property
(Worcester County)

COMMISSION ACTION: Map Change Refinement

RECOMMENDATION: Concurrence with Chairman's Determination

DISCUSSION:

The Worcester County Commissioners are requesting approval of a request for growth allocation on a 56.88 acre parcel with 47.48 acres within the Critical Area. The current designation of the property is RCA (Resource Conservation Area) and the applicant is requesting a map change to IDA (Intensely Developed Area) for 27.47 acres. The 20.00 acre residue will remain as RCA.

The property is forested and is located within the 100 Year Flood Plain. The site is characterized by both tidal and nontidal wetlands along Town Branch. The site also contains areas of hydric soils. There are no known threatened or endangered species on the property, and all proposed development will be located outside of the 100-Foot Buffer. The Buffer may need to be expanded due to hydric soils.

The adjoining properties to the north and west of the site are within the town limits of Pocomoke City (which was exempted from developing a Critical Area Program due to the land use established in 1984). The Town property is designated as IDA. The properties located to the south and east of the project site are classified as RCA. If the growth allocation request is approved, the property owner plans to petition the Mayor and City Council of Pocomoke City to annex the property. Because Pocomoke City does not have a Critical Area Program, it is our understanding that Worcester County will oversee the review and approval of the proposed development of the property in accordance with Worcester County's Program. Upon annexation, the property will be eligible to receive public facilities (water and sewer) from Pocomoke City.

A conceptual site plan was submitted for the property which includes an activity center and driving range. Proposed development of the property will comply with the 10% Rule and other applicable sections of Worcester County's Critical Area Program

ANALYSIS:

According to the Commission's *Policy on Distinguishing Between Amendments and Refinements*, proposed map changes that result in a use of land or water in a manner consistent

with the adopted program may be reviewed as refinements.

APPLICABLE LAW: COMAR 27.01.02.06, Location and Extent of Future Intensely
Developed Areas

Natural Resources Article Section 8-1808.1, Growth Allocation in
Resource Conservation Areas

STAFF: Mary Owens

MAP 21708

RECLASSIFICATION AREA TABLE

	PROPOSED RCA	PROPOSED IDA
UPLAND	8.19Ac.	27.47Ac.
NON-TIDAL WETLAND	11.82Ac.	0.00Ac.
TOTAL	20.00Ac.	27.47Ac.

AREA TABLE					
	UPLAND	TOTAL WETLAND	NON-TIDAL WETLAND	AREA OF DISTURBANCE	FOREST COVER
INSIDE CRITICAL AREA	35.66Ac.	0.00Ac.	11.82Ac.	6.03Ac.	48.65Ac.
OUTSIDE CRITICAL AREA	5.20Ac.	0.00Ac.	2.03Ac.	3.97Ac.	8.23Ac.
TOTAL	40.86Ac.	0.00Ac.	13.85Ac.	10.00Ac.	56.88Ac.

