

Chesapeake Bay Critical Area Commission  
Department of Housing and Community Development  
Crownsville, Maryland 21401  
Conference Room 1100A  
July 1, 1998

AGENDA

SUBCOMMITTEES

11:00 a.m. - 12:00 noon      **Project Evaluation**

Members: Langner, Bourdon, Giese, Goodman, Corkran, Foor, Jackson, Cooksey, Hearn, Deitz, Castleberry, Graves, Wilde

DNR College Creek Demonstration Project  
City of Annapolis/DNR Tawes Building

Lisa Hoerger, Environmental Specialist

DNR Smallwood State Park Land Unit Plan  
Charles County

LeeAnne Chandler, Planner

DNR Mattawoman Creek Art Center, Smallwood  
State Park, Charles County

LeeAnne Chandler, Planner

SHA Route 213 Bridge over Big Elk Creek  
Elkton, Cecil County

Susan McConville, Planner

**Program Implementation**

Members: Whitson, Evans, Moxley, Robinson, Myers, Barker, Williams, Wynkoop, Foor, Pinto, Johnson, Lawrence, Taylor-Rogers, Duket

NO MEETING THIS MONTH

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

PLENARY MEETING

1:00 p.m. - 1:05 p.m.

Approval of Minutes  
of June 3, 1998

John C. North, II, Chair

PROGRAM AMENDMENTS and REFINEMENTS

1:05 p.m. - 1:20 p.m.

St. Mary's County - Growth Allocation  
Wrightson Farms - REFINEMENT

Tracy Batchelder, Planner

PROJECT EVALUATION

1:20 - 1:35 p.m.

VOTE DNR College Creek Demonstration Project  
Annapolis/DNR/Tawes Parking Lot

Lisa Hoerger, Planner

1:35 - 1:45 p.m.	VOTE DNR Smallwood State Park Land Unit Plan, Charles County	LeeAnne Chandler, Planner
1:45 - 1:55 p.m.	VOTE DNR Mattawoman Creek Art Center Smallwood State Park	LeeAnne Chandler, Planner
1:55 - 2:10 p.m.	VOTE SHA 213 Bridge Over Big Elk Creek, Elkton	Susan McConville, Planner
2:10 - 2:25 p.m.	Old Business  New Business	John C. North, II, Chairman

Chesapeake Bay Critical Area Commission  
North East Yacht Club  
North East, Maryland

June 3, 1998

The Chesapeake Bay Critical Area Commission met at the North East Yacht Club in North East, Maryland. The meeting was called to order by Chairman John C. North, II with the following Members in attendance:

Blake, Russell, Worcester County

Bourdon, Dave, Calvert County

Myers, Andrew, Caroline County

Corkran, William, Talbot County

Goodman, Robert, DHCD

Williams, Roger, Kent Co.

Langner, Kathryn, Cecil Co.

Giese, William, Jr., Dorchester Co.

Duket, Larry F., Office of Planning

Johnson, Samuel Q., Wicomico Co.

Pinto, Robert, Somerset County

Hearn, J.L., Md. Dept. Of Environ.

Rogers, Dr. Sarah Taylor-DNR

Dr. Foor, James C., Queen Anne's County

Barker, Philip, Harford County

Appel, Sherry for Wynkoop, Samuel,

Prince George's County

Robinson, Edward, Kent County/Eastern Shore MAL

The Minutes of May 6, 1998 were approved as read.

Chairman North introduced Mr. Joseph Jackson, of Pocomoke City, Maryland, successor to Russell Blake, the Commission's newest member. A Commission Certificate of Appreciation was presented to Mr. Blake and to Ms. Kay Langner, also retiring from her position on the Commission.

Ms. Melissa Cooke-McKensie, Town Administrator for the Town of North East gave welcoming remarks and updated the Commission on the work that has been done on shore erosion and the Community park within the town.

Calvert County's request to the Maryland Department of the Environment to revise and re-promulgate State Tidal Wetlands Boundary Map #CV-29 was presented by Dawnn McCleary, Planner, CBCAC for Concurrence with the Chairman's determination of Refinement. This revision is to correct an error in the mapping of tidal wetlands (the Lore Property/Dowell Elementary School site) which will remove an area from the Chesapeake Bay Critical Area designated RCA. The acreage to be removed is 11.91 and would reduce by 0.59 acres the County's growth allocation. The Commission supported the Chairman's determination of refinement.

Calvert County's Department of Planning and Zoning and the Calvert County Public School system's request for conditional approval of grading and clearing within the extended Buffer for the construction of facilities for the proposed Dowell Elementary school project designated RCA was presented by Dawnn McCleary. The location of the proposed school is consistent with the County's Smart Growth initiatives. The Dowell Elementary School site consists of 19 acres, with 7.09 acres of the 19 acre site within the Critical Area. Clearing is proposed for 2.63 acres (73%) within the Critical Area; the existing forest cover within the Critical Area is 3.58 acres. There is a proposed stormwater management device to be moved outside the extended Buffer; there are no threatened or endangered species on the site and this site does not qualify as FID bird habitat. In order to qualify for consideration by the Commission for conditional approval it must be shown

that the project or program has certain characteristics, e.g., special circumstances, substantial public benefits to the Critical Area Program, and is in conformance with the local program; also, it must contain certain elements of enforcement of other Critical Area provisions, and mitigation of impacts, which Ms. McCleary outlined. The proposing jurisdiction has shown that this project meets those requirements. MDE has approved the mapping mistake correction which removes most of the site from the Critical Area (see above). Kay Langner moved for conditional approval of the Dowell Elementary School project subject to removal of proposed pond #2 from the extended Buffer and piping of stormwater to pond #3. The motion was seconded by Dave Bourdon. Dr. Floor moved to amend the motion to include "that the conditions are met". Both the movant and the seconder agreed to the amendment. The motion was carried unanimously.

The Maryland Port Authority's proposed cargo shed extension was presented by Dawnn McCleary for Vote. She said that this project, approximately 100,000 square feet, lies entirely within the Critical Area with a small portion lying with the 100-foot Buffer. This is a redevelopment in an Area of Intense Development (the Critical Area designation for state lands with IDA characteristics). The proposal is to relocate the utilities around the proposed extension and to construct the pile supported building over a structural fill on top of the bituminous paving. The 10% calculations were done and, as a Best Management Practice, a dry extended detention pond was recommended. Kay Langner moved for approval of the MPA cargo shed extension at South Locust Point Marine Terminal. The motion was seconded by Dr. Sarah Taylor-Rogers and carried unanimously.

Historic St. Mary's City's Commission's request to reconstruct Smith's Ordinary was presented by Tracy Batchelder, Planner, CBCAC for Vote. This reconstruction is based on recommendations made by the Historic St. Mary's City Master Plan Update which was approved by the Critical Area Commission in 1992. Smith's Ordinary will be a wooden 20' x 30' structure reconstructed so it appears to be crafted with 17<sup>th</sup> century construction techniques. The proposed site is outside the expanded Buffer. No vegetation will be removed and stormwater management will be addressed by maintaining the large grassy areas around the structure as an infiltration area. There are no wetlands, threatened and endangered species or other sensitive areas on the proposed reconstruction site. Kay Langner moved for approval of the Historic St. Mary's City reconstruction of Smith's Ordinary as proposed. The motion was seconded by Russell Blake and carried unanimously.

Historic St. Mary's City's Commission's request to erect a new restroom building near the existing State House was presented by Tracy Batchelder for Vote. This new building will improve safety, amenities for visitors, including ADA accessibility. The proposed building is 30' x 18 1/2' constructed in brick to appear as a 17<sup>th</sup> century structure on the exterior. The site is located outside of the expanded Buffer. Ms. Batchelder described the technical details of the construction. There will be 1:1 mitigation for the removal of any trees. There are no wetlands, threatened and endangered species or other sensitive areas on the proposed construction site. A Dry Well will be constructed to meet the stormwater requirements. A sewage connection will be made to St. Mary's College. Kay Langner moved for approval of the Historic St. Mary's City's construction of a new restroom building as proposed. The motion was seconded by Dave Bourdon and carried unanimously.

## OLD BUSINESS

Marianne Mason, Esquire, Assistant Attorney General and Commission Counsel, updated the Commission on legal matters. She said that testimony was presented at an administrative appeal of a variance in Talbot County and the Board has not yet made a decision. The variance was for a brick walkway in the Buffer. This case last summer went to Circuit Court and the Court remanded it to the Board of Appeals in Talbot County for another hearing. A decision is expected mid to late summer.

In Dorchester County, the Circuit Court has signed an order dismissing a case in which the Critical Area Commission had appealed the grant of a variance for a swimming pool. The court dismissed the case on the Commission's motion because the applicants withdrew their request for the variance. They essentially gave up their variance for the pool.

In the Court of Special Appeals, the case of Citrano vs. North was argued. This case was a deck in the Buffer that has been going on for a couple of years. The applicants have lost every step of the way. The Commission briefed the case and argued it on Monday. Ms. Mason stated that she believes that the Commission will win this round as well.

#### NEW BUSINESS

There being no further business, the meeting adjourned.

Minutes submitted by Peggy Mickler, Commission Secretary.

## *Chesapeake Bay Critical Area Commission*

### **STAFF REPORT**

**July 1, 1998**

**APPLICANT:** State Highway Administration

**PROPOSAL:** MD 213 Bridge over Big Elk Creek

**JURISDICTION:** Town of Elkton

**COMMISSION ACTION:** Vote

**STAFF RECOMMENDATION:** Approval with condition that approval is received under the Joint Permit.

**STAFF:** Susan McConville

**APPLICABLE LAW/  
REGULATIONS:** COMAR 27.02.05.03

### **DISCUSSION**

The State Highway Administration (SHA) is proposing to rehabilitate and widen Bridge No. 7052, MD 213 over Big Elk Creek in Elkton. The existing concrete girder bridge, built in 1932, carries three lanes of traffic and is 38 feet wide and 122 feet long, consisting of three 40-foot wide spans with two piers in the creek. The existing bridge superstructure and piers will be completely removed under this project. The existing abutments are in good condition and will be utilized in the construction of the new bridge.

The proposed rehabilitated bridge will be a two span steel girder bridge 122 feet long and 53 feet wide providing for the current three lanes of traffic. The center northbound through lane will be 12 feet wide, the outside southbound through land and right turn lane will be 11 feet wide accompanied with three foot wide shoulders allowing for bicycle traffic. A five-foot sidewalk will be provided for pedestrian traffic on both sides of the roadway. The bridge will remain on the present MD 213 alignment and profile, thus utilizing the existing abutments with a 15-foot widening to the east of the existing structure. Limited approach roadway work will be required at both ends of the new bridge to tie into the new bridge. Two lanes of traffic will be maintained in each direction during the removal of the existing bridge and the construction of the new bridge resulting in three stages of construction. All embankment material will be contained through the use of extended wingwalls and parapet walls.

The entire project lies within the Critical Area. The land is designated as IDA on both approaches to the bridge, with an adjacent area of RCA. (See attachment 2) The bridge crosses over Big Elk Creek, which flows from north to south into Elk Creek. Big Elk Creek is classified as Use I waters (Recreational waters ) by MDE. In-stream construction for Use I waters is prohibited from February

15 through June 15, inclusive.

MD- DNR, Environmental Review has determined that yellow and white perch occur in the vicinity of the bridge. These perch will be protected by the above referenced time of year restrictions. The Wildlife and Heritage Division of DNR have indicated there are no records for the presence of Federal or State rare, threatened or endangered species.

The U.S. Fish and Wildlife Service indicates that bog turtles may be present in the project area. The wetland delineation which was prepared for the project did not indicate the presence of palustrine emergent wetland. In the project area, therefore, the presence of bog turtles are not likely to occur. MD DNR Wildlife and Heritage Division indicates that there are no state listed threatened or endangered species in the project area.

Heavy construction equipment required for the project will result in disturbance to areas adjacent to the bridge. All adjacent disturbed areas will be restored to pre-construction conditions or better when the project is complete. No wetlands or SAV were identified within the project limits. The project will impact 180 linear feet of tidal water. SHA is in the process of identifying a site for mitigation. SHA will provide a mitigation proposal for review.

Approximately 13 trees will be impacted within the 100-foot tidal Buffer within the Critical Area. The trees will be mitigated at the 3:1 ratio on a site in Elkton on land owned by the town in the Buffer to Little Elk Creek. A detailed landscape plan is being developed to mitigate the trees and will be presented for review.

SHA has received a letter of exemption from MDE for stormwater management and erosion and sediment control due to the fact that the proposed project involves less than 5,000 square feet of ground disturbance and less than 100 cubic yards of earthwork. MDE and the Army Corps of Engineers are currently reviewing the project for approval of the proposed waterway construction for instream work. The project is currently being reviewed under the Joint Permit. We expect comments from MDE and the US Army Corps of Engineers by the July meeting.

The proposed project will add 0.08 acres of impervious surface in the Critical Area. Because 0.03 acres of the additional impervious surface consists of widening the bridge over open water, the effective impervious surface added to the Critical Area is 0.05 acres. Approximately 0.03 acres are in the IDA portion and 0.02 acres are in the RCA portion.

In order to meet the Critical Area requirements for water quality, a vegetative swale will be placed on the site. This swale will treat onsite and offsite impervious area totaling 0.36 acres. Placement of this swale also involves removing slabs of concrete alongside the road that appear to be part of an old bridge. Although this removal of impervious surface will reduce the net addition of impervious surface to the project, it has not been factored in. The vegetative swale will provide removal of 0.62 pounds of Phosphorus per year, exceeding the 10% phosphorus reduction requirement of 0.37 pounds per year.

The Town of Elkton has reviewed the proposed project and has written a letter in support of the bridge replacement and are working with SHA on the tree planting agreement on Town land.

**CHESAPEAKE BAY CRITICAL AREA COMMISSION**

**STAFF REPORT**  
**July 1, 1998**

*supported*

**APPLICANT:** St. Mary's County

**PROPOSAL:** Program Refinement

**COMMISSION ACTION:** Concurrence with Chairman's Determination

**STAFF RECOMMENDATION:** Approval

**STAFF:** Tracy Batchelder

**APPLICABLE LAW/  
REGULATIONS:** NRA Section 8-1808.1 (growth allocation in Resource Conservation Areas) and COMAR 27.01.02.06 (growth allocation)

**DISCUSSION:**

St. Mary's County is requesting growth allocation for the Wrightson Farm Subdivision located on Fresh Pond Neck Road near St. Jerome's Creek in southern St. Mary's County. The proposal is to redesignate 3.0 acres from RCA to LDA to accommodate two lots for single family dwellings.

The entire site is 37.47 acres with 35.95 acres within the Critical Area. The applicant is proposing a 2 lot subdivision totaling 3.0 acres. The remaining 32.95 acres (within the Critical Area) will retain its RCA designation. The property is currently developed with a single family dwelling and is in agricultural use. The County is requesting that the clustered lots be reclassified from RCA to LDA.

The property is located adjacent to existing residential development to the north which is currently designated LDA. The property consists primarily of open fields with 9.83 acres of forest. Approximately 6 to 8 saplings and one 8" diameter Black Oak will be removed in order to provide access to a proposed community pier, with little disturbance to the tree canopy. No other forested areas will be cleared. Removal of forested areas will be mitigated for on an equal basis outside of the 100-foot Buffer and on a 3:1 basis within the 100-foot Buffer totaling 4,500 s.f. of required reforestation. The proposed community pier will have 3 slips, and it complies with Section 27.01.03.07B of the Criteria.

The project was exempted from stormwater management quantity control by the St. Mary's County Department of Public Works as the proposed runoff will be less than the existing runoff. Stormwater management for water quality will be achieved through afforestation in the Buffer



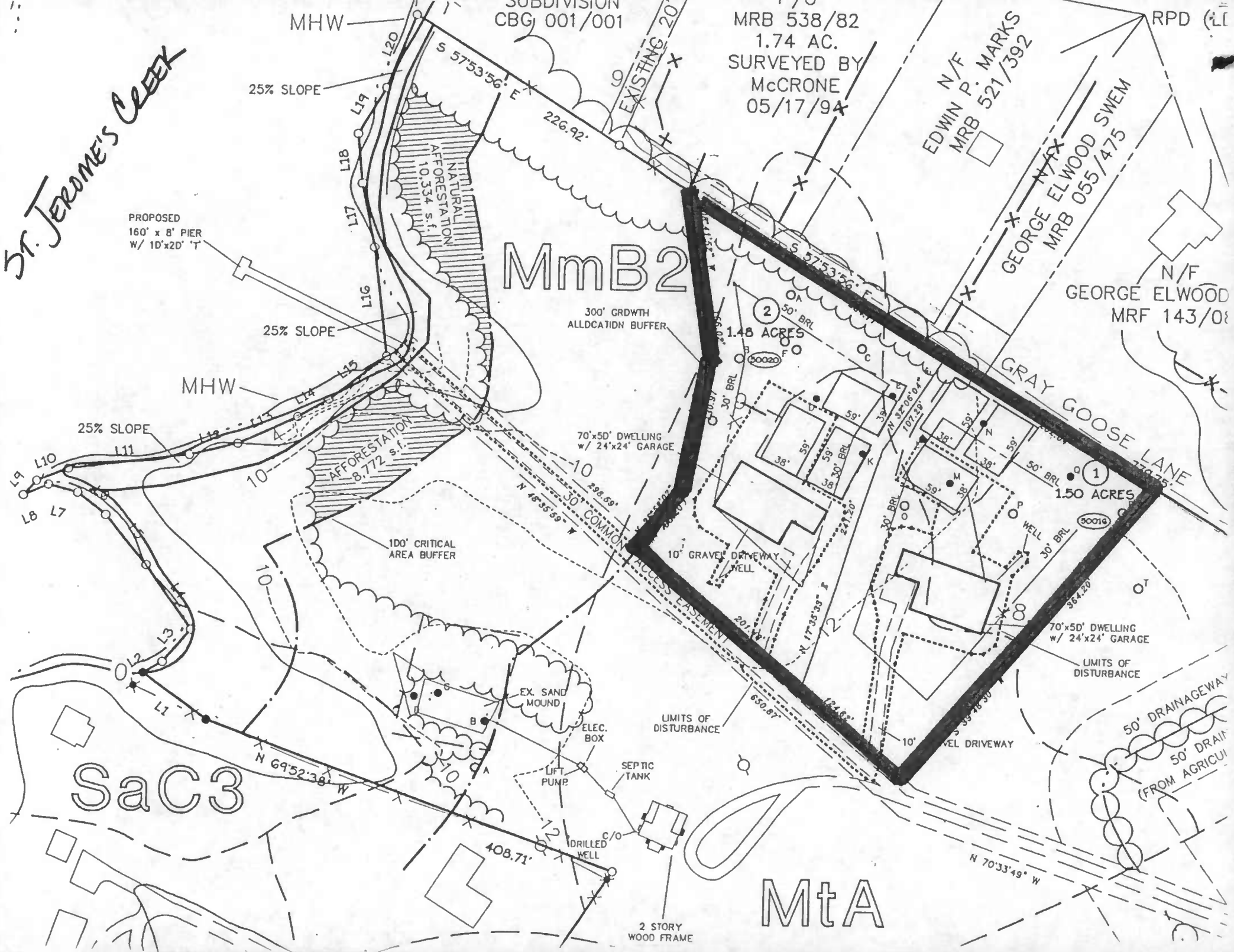
(14,606 s.f.). In addition, the site for the proposed lots is characterized by Matapex fine sandy loam soils which are moderately well-drained and generally suitable for infiltration.

There are no tidal wetlands, non-tidal wetlands or known threatened or endangered species located on the property. The proposed subdivision lies more than 300 feet beyond the landward edge of tidal waters or tidal wetlands as recommended in the Commission's guidelines for growth allocation. The proposed lots are to be served by individual private wells and septic systems. Impervious surfaces will be limited to less than 15% of each lot.

In accordance with the St. Mary's County Zoning Ordinance, public hearings were held by both the Planning Commission and Board of County Commissioners. The final award of growth allocation by the Board of County Commissioners was granted on February 3, 1998.

This growth allocation request is consistent with the Critical Area Criteria and the Commission's policy on growth allocation. A total of 3.0 acres will be deducted from the County's growth allocation.

ST. JEROME'S CREEK



SUBDIVISION  
CBG 001/001

MRB 538/82  
1.74 AC.  
SURVEYED BY  
McCRONE  
05/17/94

N/F  
EDWIN P. MARKS  
MRB 521/392

RPD (LI

MHW

25% SLOPE

MmB2

300' GRDWH  
ALLDCATION BUFFER

PROPOSED  
160' x 8' PIER  
W/ 10'x20' 'T'

MHW

25% SLOPE

25% SLOPE

AFFORESTATION  
8,772 s.f.

70'x50' DWELLING  
w/ 24'x24' GARAGE

1.48 ACRES

GRAY GOOSE LANE

N/F  
GEORGE ELWOOD  
MRF 143/08

1.50 ACRES

100' CRITICAL  
AREA BUFFER

50' COMMON

10' GRAVEL DRIVEWAY  
WELL

70'x50' DWELLING  
w/ 24'x24' GARAGE

LIMITS OF  
DISTURBANCE

SaC3

EX. SAND  
MOUND

LIMITS OF  
DISTURBANCE

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PUMP

DRILLED  
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TANK

2 STORY  
WOOD FRAME

MtA

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50' DRAIN  
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N 70°33'49" W

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N 17°35'33" E

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## *Chesapeake Bay Critical Area Commission*

### STAFF REPORT

July 1, 1998

**APPLICANT:** Prince George's County

**PROPOSAL:** Refinement - CB-11-1998

**COMMISSION ACTION:** Concurrence

**STAFF:** Lisa Hoerger

**APPLICABLE LAW/  
REGULATIONS:** Natural Resources Article §8-1809 (p) (3) (i)

### DISCUSSION:

Prince George's County has requested the Commission to consider a refinement to the County's Zoning Ordinance. The proposed refinement has been reviewed by Commission staff and is consistent with the applicable law and criteria. It will allow the Planning Commission to hear and issue approvals for variances and subdivisions both inside and outside the Critical Area.

The current process can take up to 40-45 days before a building permit can be issued. The applicant must appear before the Planning Commission who makes findings, but does not issue final approvals. The application can only be approved by the Board of Appeals. The new legislation will enable an applicant to obtain all necessary approvals through the Planning Board.

Both the variance standards and the notification procedures will remain intact. Also, the applicant will still retain the right to appeal the decision of the Planning Board to the Board of Appeals. The purpose of this change is to streamline the application process for the citizens of Prince George's County.

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND  
SITTING AS THE DISTRICT COUNCIL**

**1998 Legislative Session**

Bill No. CB-11-1998

Chapter No. 4

Proposed and Presented by The Chairman (by request - Board of Appeals)

Introduced by Council Member Del Giudice

Co-Sponsors \_\_\_\_\_

Date of Introduction February 17, 1998

**ZONING BILL**

**AN ORDINANCE concerning**

**Variances**

For the purpose of authorizing the Planning Board to grant variances in conjunction with certain applications.

BY repealing and reenacting with amendments:

Sections 27-239.03 and 27-239.04,

The Zoning Ordinance of Prince George's County, Maryland,

being also

**SUBTITLE 27. ZONING.**

The Prince George's County Code

(1995 Edition, 1996 Supplement).

**SECTION 1. BE IT ENACTED** by the County Council of Prince George's County, Maryland, sitting as the District Council for that part of the Maryland-Washington Regional District in Prince George's County, Maryland, that Sections 27-239.03 and 27-239.04 of the Zoning Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code, be and the same are hereby repealed and reenacted with the following amendments:

**SUBTITLE 27. ZONING.**

**PART 3. ADMINISTRATION.**

**DIVISION 5. APPEALS AND VARIANCES.**

CB-11-1998 (DR-2)

**Subdivision 5. Variances in Conjunction with Other Approvals.**

**Sec. 27-239.03. District Council and Planning Board authority.**

When the District Council or Planning Board makes a final decision in a zoning case, site plan, or other request, the District Council or Planning Board shall have the authority to grant variances from the strict application of this Subtitle in conjunction with its approval. The Council and Planning Board shall be governed by the provisions of Section 27-230 when it grants the variance.

**Sec. 27-239.04. Procedures.**

(a) Applicants for a zoning case, site plan, or other request who want the Council or Planning Board to consider a variance shall submit a written request for the variance to the body or official with whom the application was filed at least twenty-one (21) days prior to the evidentiary hearing date for the zoning case, site plan, or other request. The applicable fee set forth in Section 2-122 of this Code shall be charged for the expenses of the request.

(b) An evidentiary hearing shall be held on each request for a variance at the same time as the hearing for the zoning case, site plan, or other request.

(c) Notice of the hearing shall be in accordance with Section 27-231.

(d) If the need for a variance does not arise until the evidentiary hearing on the case, the case shall be continued, and notice of the hearing on the variance shall be provided in accordance with Section 27-231.

**SECTION 2. BE IT FURTHER ENACTED** that this Ordinance shall take effect on the date of its adoption.

CB-11-1998 (DR-2)

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Adopted this 17th day of March, 1998.

COUNTY COUNCIL OF PRINCE GEORGE'S  
COUNTY, MARYLAND, SITTING AS THE  
DISTRICT COUNCIL FOR THAT PART  
OF THE MARYLAND-WASHINGTON  
REGIONAL DISTRICT IN PRINCE  
GEORGE'S COUNTY, MARYLAND

BY: Ronald V. Russell  
Ronald V. Russell  
Chairman

ATTEST:

Joyce T. Sweeney  
Joyce T. Sweeney  
Clerk of the Council

KEY:

Underscoring indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

Asterisks \*\*\* indicate intervening existing Code provisions that remain unchanged.

# *Chesapeake Bay Critical Area Commission*

## **STAFF REPORT**

**July 1, 1998**

**APPLICANTS:** Department of Natural Resources, Maryland Department of the Environment, Department of General Services, State Highway Administration

**PROPOSAL:** College Creek Demonstration Project

**JURISDICTION:** City of Annapolis

**COMMISSION ACTION:** Vote

**STAFF RECOMMENDATION:** Approval

**STAFF:** Lisa Hoerger

**APPLICABLE LAW/  
REGULATIONS:** COMAR 27.02.05 State Agency Actions Resulting in Development on State-Owned Lands

### **DISCUSSION:**

The Departments of Natural Resources, Environment, General Services and the State Highway Administration have joined to create two BayScapes sites, two bioretention areas and stabilize an existing outfall to College Creek at the Tawes Building in Annapolis.

The purpose of this project will be to treat the first half inch of runoff leaving the employee parking lot via the bioretention areas. After construction is complete, the Department of Natural Resources envisions utilizing the site as a demonstration project to the public. The site will also be monitored in order to collect data on the bioretention sites.

Two BayScapes sites will be created near the entrance to the Tawes building. They will treat stormwater that flows off the nearby brick sidewalks. The bioretention sites will be located in the parking lot. Their dimensions will be 20' x 140' and 20' x 30'. With the assistance of the U.S. Fish and Wildlife Service and the Friends of College Creek, the sites are proposed to be planted in the fall by school children.

The existing outfall will be stabilized by using plunge pools. Currently, there are two outfalls that empty into College Creek. One outfall is owned by the City of Annapolis. The other, which is proposed to be stabilized, is owned by the State. Disturbance to this area will be the minimum necessary. Mitigation for all clearing will be required.

The sediment and erosion control permit is still pending with MDE. There are no known threatened or endangered species at any of the project sites. Except for the Buffer near the outfall, no other Habitat Protection Areas will be impacted. Mitigation will be required.

# *CHESAPEAKE BAY CRITICAL AREA COMMISSION*

## **STAFF REPORT**

July 1, 1998

**APPLICANT:** Department of Natural Resources, Land and Water  
Conservation Service, Engineering & Construction Program

**PROPOSAL:** Mattawoman Creek Art Center Parking Lot at Smallwood  
State Park

**JURISDICTION:** Charles County

**COMMISSION ACTION:** Vote

**STAFF RECOMMENDATION:** Approval

**STAFF:** LeeAnne Chandler

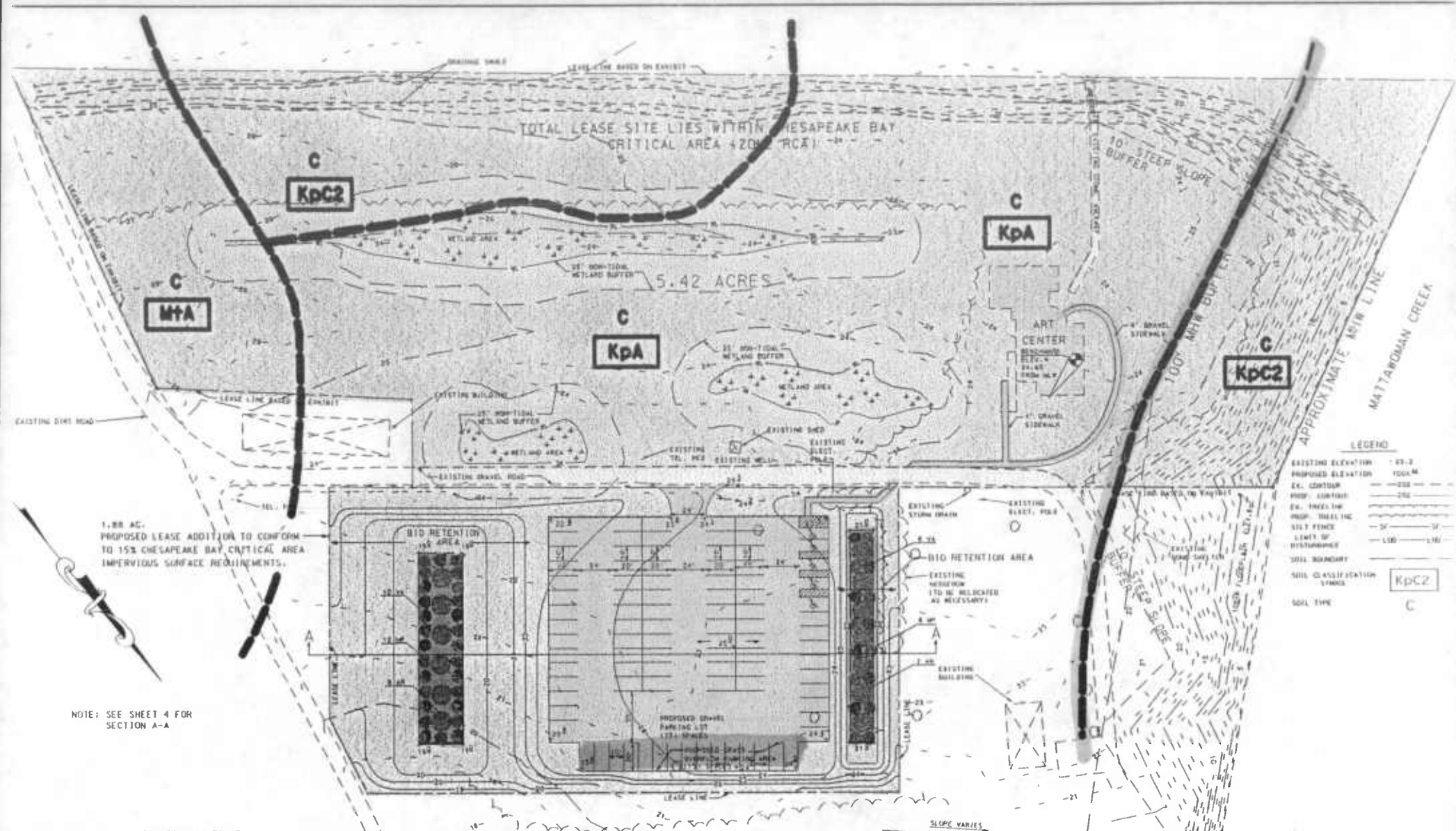
**APPLICABLE LAW/  
REGULATIONS:** COMAR 27.02.05 State Agency Actions Resulting in  
Development on State-Owned Lands

### **DISCUSSION:**

The Department of Natural Resources, Land and Water Conservation Service is proposing to construct a parking lot and walkways at the Mattawoman Creek Art Center at Smallwood State Park in Charles County. The non-profit organization which leases the Art Center site is requesting the construction. The parking lot will have a capacity of 92 cars, with 77 gravel spaces and 15 spaces in a grassed overflow area. Five of the spaces will be handicap dedicated spaces. The 4' gravel walkways will connect the parking lot to the Art Center.

The total additional impervious surfaces will cover 30,945 square feet. The total impervious surface area is approximately 13% of the leased area. The leased area contains three areas of isolated non-tidal wetlands. The parking lot has been sited to avoid these wetlands and their buffers. The site of the proposed lot is currently a fairly level grassy field, with limited woody vegetation. All proposed construction will occur outside of the 100-foot Buffer. There are no other habitat protection areas that will be affected by this project. Stormwater management will occur in two bio-retention areas built in accordance with the Prince George's County Bio-Retention Design Manual. The two areas, a total of 6,075 square feet, will be planted with trees (red maple, northern bayberry) and shrubs (lowbush blueberry).





**LEGEND**

EXISTING ELEVATION	100'-2'
PROPOSED ELEVATION	100'-6"
EX. CONTOUR	2'-0"
PROP. CONTOUR	2'-0"
EX. FENCE LINE	---
PROP. FENCE LINE	---
SOIL BOUNDARY	---
SOIL CLASSIFICATION SYMBOL	KpC2
SOIL TYPE	C

1.88 AC.  
PROPOSED LEASE ADDITION TO CONFORM TO 15% CHESAPEAKE BAY CRITICAL AREA IMPERVIOUS SURFACE REQUIREMENTS.

NOTE: SEE SHEET 4 FOR SECTION A-A

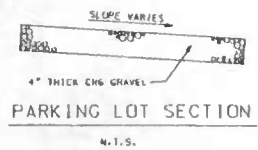
**PLANTING SCHEDULE**

KEY	BOTANICAL NAME / COMMON	QTY.	SIZE	SPACING	REMARKS
VA	Vaccinium corymbosum LOW BUSH BLUEBERRY	18	3 GAL. CONT.	12" O/C	
MP	Malus domestica BRANNINGHAM RED BERRY	20	3 GAL. CONT.	12" O/C	
AR	Acer rubrum RED MAPLE	13	2 1/2" - 3" CAL.	19" O/C	B&B

**SOIL BORINGS**

SBW1  
EXISTING MEADOW, BERRY PATCH  
0' - 1' TOPSOIL LOAM MOIST - MEDIUM BROWN  
1' - 2' SANDY LOAM MOIST - MEDIUM BROWN  
2' - 6' VERY FIRM CLAY MOIST - LIGHT GRAY  
NO WATER ENCOUNTERED AT 6'

SBW2  
EXISTING MEADOW, BERRY PATCH  
0' - 1' TOPSOIL LOAM MOIST - DARK GREEN/BROWN  
1' - 2' SANDY LOAM MOIST - DARK GREEN/BROWN  
2' - 6' VERY FIRM CLAY MOIST - LIGHT GRAY  
NO WATER ENCOUNTERED AT 6'



**LAI LOIEDERMAN ASSOCIATES, INC.**  
Civil Engineering Land Planning Land Surveying Environmental Studies

1900 Potomac Blvd., Suite 1100, Washington, DC 20006  
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4001 Eastern Boulevard, Columbia, MD 21046  
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10000 Greenway Drive, Suite 100, Greenway, MD 21040  
Tel: 410-386-1000 Fax: 410-386-1005

10000 Greenway Drive, Suite 100, Greenway, MD 21040  
Tel: 410-386-1000 Fax: 410-386-1005

DESIGNED	ARB			
DRAWN	DMH			
CHECKED	ARB			
PROJECT	ARB			
OBJECT	WALDOH			
DATE	JUNE 1998	NO.		REVISIONS
				BY DATE

EXHIBIT



**MATTAWOMAN ART CENTER  
PARKING LOT**

10TH ELECTION DISTRICT CHARLES COUNTY, MARYLAND

SCALE	1" = 30'
SHEET	1
OF 1 SHEETS	
JOB NO.	0518-02

BY E.C. 10/1/01 - 2 points on map are from 1998

# **CHESAPEAKE BAY CRITICAL AREA COMMISSION**

## **STAFF REPORT**

**July 1, 1998**

**APPLICANT:** Department of Natural Resources, Land and Water  
Conservation Service, Resource Planning

**PROPOSAL:** Smallwood State Park Land Unit Plan

**JURISDICTION:** Charles County

**COMMISSION ACTION:** Vote

**STAFF RECOMMENDATION:** Approval

**STAFF:** LeeAnne Chandler

**APPLICABLE LAW/  
REGULATIONS:** COMAR 27.02.05 State Agency Actions Resulting in  
Development on State-Owned Lands

### **DISCUSSION:**

The Department of Natural Resources has developed a Land Unit Plan for Smallwood State Park in Charles County. The general goals of the plan are: to enhance natural resource based recreation and education capability; to improve camping facilities; to enhance water recreation opportunities; and to contribute to natural resource protection as part of the Potomac Greenway. The timeline for the proposed plan is to acquire funding and begin implementation within 5 to 10 years. There are three proposed phases. Phase I is the establishment of a day use area consisting of picnic pavilions, an activity area, a trail and associated parking and public restrooms. Phase II is the expansion of the Park's current camping facilities with an additional 30 campsites and a comfort station. Phase III is the construction of shore erosion control along the bank of Mattawoman Creek.

### ***Park Description***

Smallwood State Park is located in western Charles County along the Mattawoman Creek, in close proximity to the Potomac River. Containing a total of 631 acres, the Park is currently developed with Sweden Point Marina (including 50 slips, a boat launch, concessions building, multipurpose building and extensive parking); the Mattawoman Creek Art Center (in a leased remodeled house); two camping areas (24 improved campsites and an area for primitive camping); and historic structures including a house and tobacco barn museum. Approximately 140 acres (22% of total Park area) are within the Critical Area.

From 1990 to 1996, the total of annual visitors to Smallwood has ranged from 120,000 to 200,000. Mattawoman Creek contains one of the best bass fisheries on the east coast. Sport fishing tournaments draw thousands of visitors each year throughout the spring, summer, and fall. These visitors come from all parts of the mid-Atlantic region. Additionally, Sweden Point Marina is one of only a few public access points to the water in all of Charles County. General recreational opportunities draw visitors from Charles County and other parts of the State. The growing Waldorf area is anticipated to increase the demand for recreation facilities and picnic shelters.

## ***Proposed Development Plan***

Proposed immediate park improvements within the Critical Area portion of the Park (implementation within 5 years, subject to Commission approval) include additional parking at Sweden Point Marina and improved parking at Mattawoman Creek Art Center.

Capital budget phases proposed in the Land Unit Plan are as follows:

### Phase I - North Sector Day Use Area

The Day Use area will provide needed recreation space away from the heavy use area around the Sweden Point Marina. (The original day-use area was lost when it was converted to an overnight camping area.)

It will include the following:

- A group picnic shelter with 10 picnic tables, a large grill, and a 30-car parking area with grass overflow parking;
- Four small gazebo-style family picnic shelters, each with 2 picnic tables and a grill, all sharing a 20-space parking area;
- a large cleared and graded grassed activity area;
- a comfort station, with a well and septic system;
- a two-lane asphalt access road extending approximately 2,800 linear feet (lf); and
- a handicap-accessible trail, providing some access to the shoreline.

### Phase II - Central Sector Camping Area

The Camping Area will involve the construction of two camping loops, one providing improved sites (sewer, water and electric hook-ups), and one providing primitive sites with only a gravel parking space and no utility hook-ups. It will include the following:

- 18 improved campsites;
- 12 primitive campsites;
- a comfort station (with showers);
- well and septic system; and
- 3,300 lf of single-lane asphalt pavement and 700 lf of double-lane asphalt pavement.

### Phase III - North Sector Shore Erosion Control

This phase includes the construction of shore erosion control along the Mattawoman Creek, adjacent to the proposed Phase I Day Use Area. Implementation of Phase III will depend entirely on an engineering assessment of the need for shore erosion control on this area of shoreline. The assessment may have one of three general results:

- 1) If intervention to protect the shoreline is not necessary, Phase III will not be undertaken;
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- 3) If structural shore erosion control is required, it will be used.

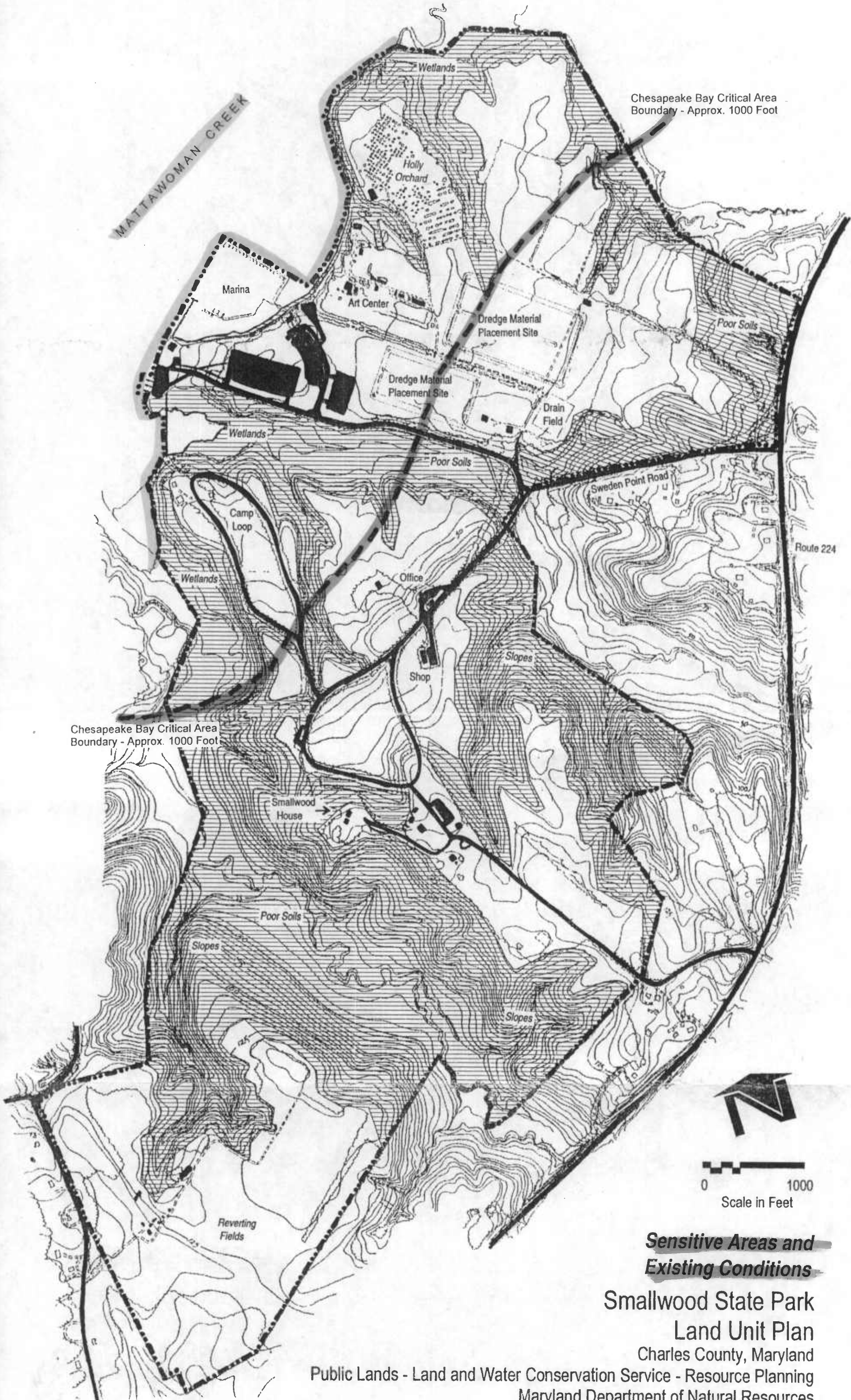
The Smallwood State Park Land Unit Plan was presented to the public for review and comment in the spring and summer of 1997.

All proposed projects within the Critical Area at Smallwood State Park will be submitted to the Critical Area Commission for review and approval. Location and design of proposed improvements will be determined based on a field delineation of all sensitive areas and the Critical Area Buffer. Location and design will minimize impacts to the Critical Area generally and will specifically protect habitat protection areas.



MATTAWOMAN CREEK

Chesapeake Bay Critical Area Boundary - Approx. 1000 Foot



Chesapeake Bay Critical Area Boundary - Approx. 1000 Foot



0 1000  
Scale in Feet

**Sensitive Areas and Existing Conditions**

**Smallwood State Park  
Land Unit Plan**

Charles County, Maryland

Public Lands - Land and Water Conservation Service - Resource Planning

Maryland Department of Natural Resources

12/96 - #114





Phase III

Shore Erosion Control Area

Phase I

Trail

Group Picnic Shelter

Parking

Comfort Station

Family Picnic Area

New Road

New Entry Road

Chesapeake Bay Critical Area Boundary - Approx. 1000 Foot

MATTAWOMAN CREEK

Phase II

Comfort Station

Primitive Camping Loop

Improved Camping Loop

Sweden Point Road

Route 224

Chesapeake Bay Critical Area Boundary - Approx. 1000 Foot



0 1000  
Scale in Feet

The location and design of all proposed improvements within the Chesapeake Bay Critical Area, which is shown approximately on this map, are subject to Chesapeake Bay Critical Area Commission review and approval. The location and design of these areas will be determined based on a field delineation of all sensitive areas and the Critical Area Buffer, will minimize impacts to the Critical Area generally, and will specifically protect habitat protection areas.

**Capital Budget Phases**  
**Smallwood State Park**  
**Land Unit Plan**  
 Charles County, Maryland  
 Public Lands - Land and Water Conservation Service - Resource Planning  
 Maryland Department of Natural Resources

D. Bowden - rec. approval  
Dr. Foor - rec.

o/a

Ken Shanks  
Res. Plan

**CHESAPEAKE BAY CRITICAL AREA COMMISSION**

**STAFF REPORT**

**July 1, 1998**

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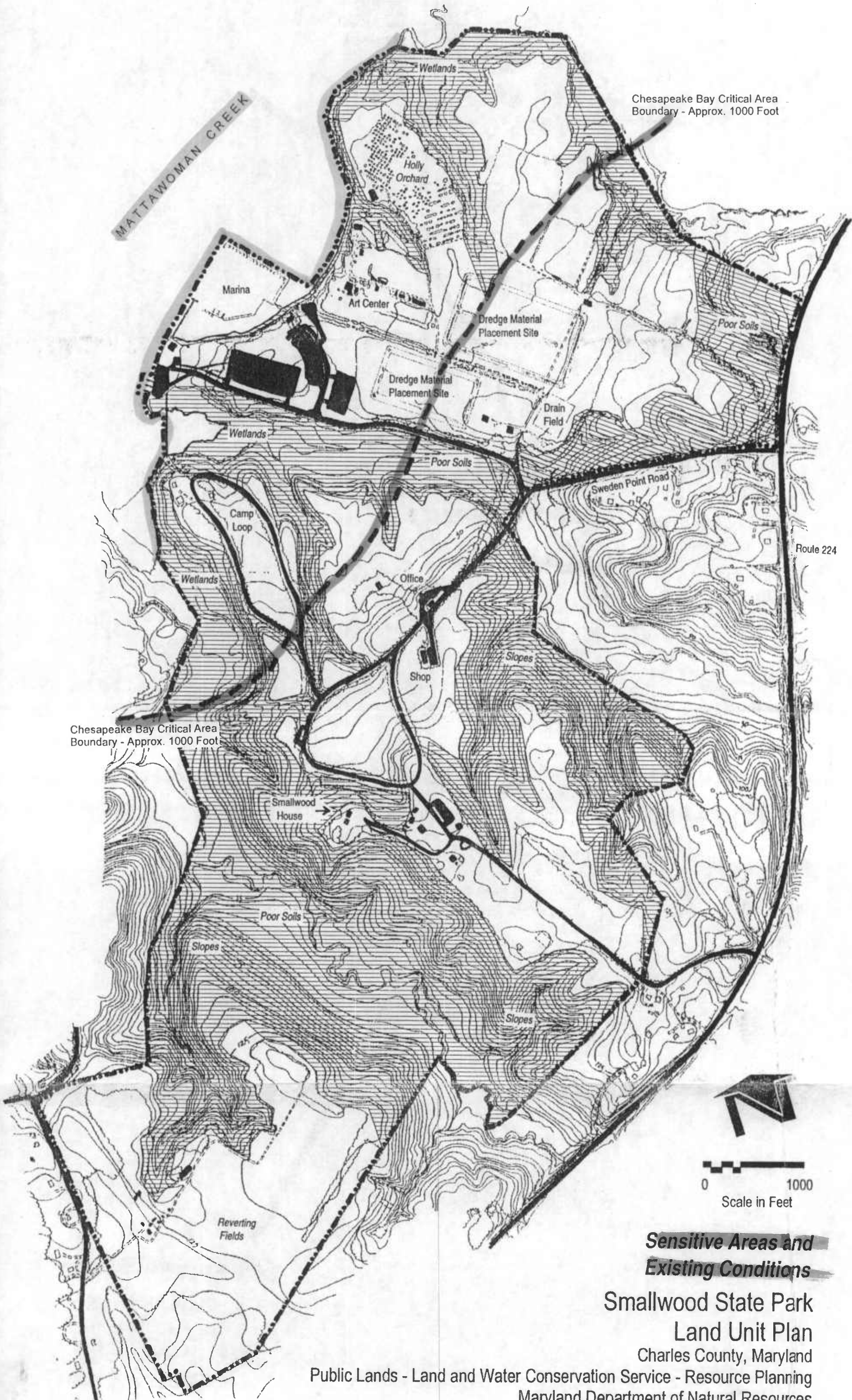
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Chesapeake Bay Critical Area Boundary - Approx. 1000 Foot



**Sensitive Areas and Existing Conditions**  
 Smallwood State Park  
 Land Unit Plan  
 Charles County, Maryland  
 Public Lands - Land and Water Conservation Service - Resource Planning  
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**Phase III**

Shore Erosion Control Area

**Phase I**

Trail  
Group Picnic Shelter  
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