

Staff Correspondence: John North Correspondence 1996-1999 S1832-140

Judge John C. North, II
Chairman



Ren Serey
Executive Director

**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

45 Calvert Street, 2nd Floor, Annapolis, Maryland 21401
(410) 974-2426 Fax: (410) 974-5338

January 5, 1999

The Honorable Philip J. Barker
City of Havre de Grace
711 Pennington Avenue
Havre de Grace, Md. 21078

Dear Mayor Barker:

This letter is being sent to you because our records show that you have attended 6 of the of the 11 meetings held by the Commission during the Calendar Year 1998. Section 8-1804(c) (6) of the Critical Area Law states:

Any member of the Commission appointed by the Governor who shall fail to attend at least 60% of the meetings of the Commission during any period of 12 consecutive months shall be considered to have resigned, and the Chairman shall forward the member's name to the Governor, not later than January 15 of the year following the non-attendance with the statement of the non-attendance, and the Governor shall appoint a successor for the remainder of the term. If the member has been unable to attend meetings as required by this subtitle for reasons satisfactory to the Governor, the Governor may waive the resignation if the reasons are made public.

As I must make a report to the Governor pertaining to attendance, I would appreciate receiving from you by January 13, 1999 a letter of explanation in order to file my report.

Thank you for your cooperation with this request. We greatly value your attendance and participation on this Commission.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II".

John C. North, II
Chairman

Branch Office: 31 Creamery Lane, Easton, MD 21601
(410) 822-9047 Fax: (410) 820-5093

TTY FOR DEAF ANNAPOLIS-974-2609 D.C. METRO-586-0450

Judge John C. North, II
Chairman



Ren Serey
Executive Director

**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

45 Calvert Street, 2nd Floor, Annapolis, Maryland 21401
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January 5, 1999

Mr. Charles C. Graves, III
Director of Planning, Department of Planning
417 E. Fayette Street 8th floor
Baltimore, Maryland 21202

Dear Mr. Graves:

This letter is being sent to you because our records show that you have attended 6 of the 11 meetings held by the Commission during the Calendar Year 1998. Section 8-1804(c) (6) of the Critical Area Law states:

Any member of the Commission appointed by the Governor who shall fail to attend at least 60% of the meetings of the Commission during any period of 12 consecutive months shall be considered to have resigned, and the Chairman shall forward the member's name to the Governor, not later than January 15 of the year following the non-attendance with the statement of the non-attendance, and the Governor shall appoint a successor for the remainder of the term. If the member has been unable to attend meetings as required by this subtitle for reasons satisfactory to the Governor, the Governor may waive the resignation if the reasons are made public.

As I must make a report to the Governor pertaining to attendance, I would appreciate receiving from you by January 13, 1999 a letter of explanation in order to file my report.

Thank you for your cooperation with this request. We greatly value your attendance and participation on this Commission.

Very truly yours,

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Ren Serey
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Fax: (410) 974-5338

January 5, 1999

Ms. Jinhee Kim Wilde
Arent, Fox, Kintner, Plotkin and Kahn
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036-5339

Dear Ms. Wilde:

This letter is being sent to you because our records show that you have attended 6 of the 11 meetings held by the Commission during the Calendar Year 1998. Section 8-1804(c) (6) of the Critical Area Law states:

Any member of the Commission appointed by the Governor who shall fail to attend at least 60% of the meetings of the Commission during any period of 12 consecutive months shall be considered to have resigned, and the Chairman shall forward the member's name to the Governor, not later than January 15 of the year following the non-attendance with the statement of the non-attendance, and the Governor shall appoint a successor for the remainder of the term. If the member has been unable to attend meetings as required by this subtitle for reasons satisfactory to the Governor, the Governor may waive the resignation if the reasons are made public.

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Thank you for your cooperation with this request. We greatly value your attendance and participation on this Commission.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II". The signature is stylized and written in a cursive-like font.

John C. North, II
Chairman

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Ren Serey
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Fax: (410) 974-5338

January 5, 1999

Mr. William Castleberry
Department of Business and Economic Development
217 E. Redwood Street
Suite 1023
Baltimore, Maryland 21401

Dear Mr. Castleberry:

This letter is being sent to you because our records show that you have attended 3 of the 11 meetings held by the Commission during the Calendar Year 1998. Section 8-1804(c) (6) of the Critical Area Law states:

Any member of the Commission appointed by the Governor who shall fail to attend at least 60% of the meetings of the Commission during any period of 12 consecutive months shall be considered to have resigned, and the Chairman shall forward the member's name to the Governor, not later than January 15 of the year following the non-attendance with the statement of the non-attendance, and the Governor shall appoint a successor for the remainder of the term. If the member has been unable to attend meetings as required by this subtitle for reasons satisfactory to the Governor, the Governor may waive the resignation if the reasons are made public.

As I must make a report to the Governor pertaining to attendance, I would appreciate receiving from you by January 13, 1999 a letter of explanation in order to file my report.

Thank you for your cooperation with this request. We greatly value your attendance and participation on this Commission.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II".

John C. North, II
Chairman

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TTY FOR DEAF ANNAPOLIS-974-2609 D.C. METRO-586-0450

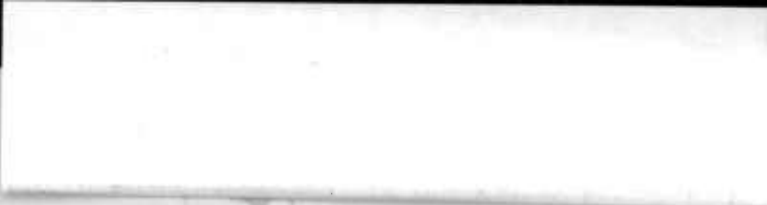
Post-it® Fax Note 7671

Date	# of pages ▶ 1
To <i>Diane Shaw</i>	From <i>R.R. Seay</i>
Co./Dept.	Co. <i>CBAC</i>
Phone #	Phone # <i>(410) 974-2424</i>
Fax # <i>(410) 841-3409</i>	Fax #

ISSUE TO RECEPTION
TRANSMISSION

P-9999

NO.	DATE	ST. TIME	TOTAL TIME	ABBREV. SCD	ID	DEST. CODE	APGS
254	03-11	21:28	00:00:52		410 841 3409	DK-1	NS-0



MESSAGE CONFIRMATION
TRANSMISSION

MAR-11-80 SUN 21:29

TERM ID:

P-9939

TEL NO.:

NO.	DATE	ST. TIME	TOTAL TIME	ABBR/SBD	ID	DEPT CODE	PPGS
254	03-11	21:29	00' 00' 52		410 041 3409		G-1/16-0

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410-820-5093 FAX

REN SEREY
EXECUTIVE DIRECTOR
410-974-2418 /26
410-974-5338 FAX



WESTERN SHORE OFFICE
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ANNAPOLIS, MARYLAND 21401

EASTERN SHORE OFFICE
31 CREAMERY LANE
EASTON, MARYLAND 21601

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

October 25, 1996

The Honorable Ronald A. Guns, Chairman
Environmental Matters Committee
107 Railroad Avenue
Elkton, Maryland 21921

Dear Chairman Guns:

It was a pleasure to meet with you recently to discuss issues concerning the Critical Area Program. As you requested, I have examined the Commission's Growth Allocation procedures in relation to the hypothetical situation you described. The example provided to you suggested that the entirety of a 25 acre parcel in the Resource Conservation Area (RCA) would be deducted from a county's Growth Allocation reserve when only five acres are developed intensively. In such a situation, however, the proper deduction would involve just the five acre developed portion because 20 acres would remain in RCA use.

When Growth Allocation is used in the RCA, the 20-acre threshold is the key consideration in determining the amount of Growth Allocation to be deducted. If the non-developed portion of a Growth Allocation site were to fall below 20 acres, it would lose the characteristics for which it was originally designated RCA. This point can be illustrated by reversing the figures in your example: on the 25 acre parcel, if 20 acres were developed intensively, the remaining five acre area would be of insufficient size to function appropriately as an RCA. Thus, when the undeveloped portion of an RCA Growth Allocation parcel falls below 20 acres, the entire parcel is deducted.

We also discussed the Commission's four-year review of Talbot County's Critical Area Program and some of the outstanding issues. In the near future a panel of Commission members will meet with the Talbot County Planning Commission to review areas of disagreement between the County and the Commission. I am hopeful that through this and future meetings we can achieve resolutions that are acceptable to all parties.

As always, if you have further questions or need additional information, please contact me.

Very truly yours,

Handwritten signature of John C. North, II in black ink.
John C. North, II
Chairman

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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

January 23, 1997

Louise M. Gonzales, President
Maryland Bar Foundation, Inc.
The Maryland Bar Center
520 West Fayette Street
Baltimore, Maryland 21201

Re: Awards for Legal Excellence

Dear Madam President:

I am in receipt of the Maryland Bar Foundation's announcement seeking nominations for awards for Legal Excellence in several categories.

Last year I nominated Chief Judge Robert Sweeney for the Eney Award. The year previous Chief Judge Sweeney was nominated for the same award by Chief Judge Murphy. Unfortunately, the nomination was not successful on either occasion.

I now wish to nominate Chief Judge Sweeney for any (or all) of the newly announced categories of legal excellence, which, I presume, have supplanted the Eney award. The reasons for this nomination have previously been set forth in detail by Chief Judge Murphy, by me, and by numerous others. I presume the data from past years nominations are on file, but if this should not be the case, please contact me promptly.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II". The signature is stylized and cursive.
John C. North, II

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

January 22, 1997

Dear Commission Member:

RE: Anne Arundel County Judicial Appeal /§ 8-1812(a) Notice

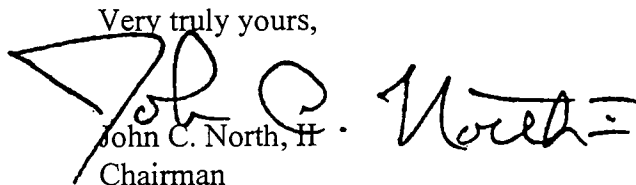
On December 13, 1996 we filed a Petition for Judicial Review stating our intent to appeal the case of Richard D. and Anne Marie White.

I believe that the decision of the Anne Arundel County Board of Appeals improperly applied the variance standards in this case and consequently overturned the decision of the administrative hearing officer. Richard D. and Anne Marie White applied for a variance to construct a swimming pool in the expanded Buffer for steep slopes in a Limited Development Area. Commission staff appeared before the Board of Appeals and opposed the location of the pool based on the five variance standards and the Habitat Protection Area criteria in COMAR 27.01.11.01 and 27.01.09.01. The Board of Appeals approved the requested variance.

In accordance with Natural Resources Article, §8-1812, Annotated Code of Maryland, copy enclosed, if you disapprove of my action in this case, please notify me in writing within 35 days after the date of this notice. As provided in §8-1812, if 13 members of the Commission indicate disapproval of my action in a timely manner, I shall withdraw the action initiated. Please note the other procedural safeguards set forth in §8-1812.

Thank you for your anticipated cooperation. The full Commission file on this matter is available at the Commission office for your review.

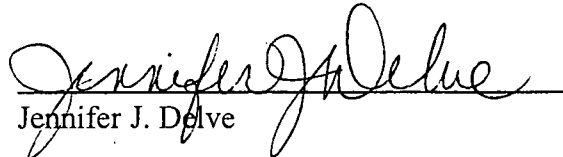
Very truly yours,


John C. North, II
Chairman

cc: Marianne D. Mason, Esquire

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 22 day of January, 1997 I mailed a copy of this §8-1812(a) Notice via first class mail, postage prepaid, to each member of the Chesapeake Bay Critical Area Commission.


Jennifer J. Dolve

project approval of which the Commission wishes to receive notice.

(2) From the date designated by the Commission in approving or adopting a program, an applicant for project approval or the local agency authorized to grant project approval on an application in any of the identified classes shall send to the Commission in accordance with the regulations and any other instructions of the Commission, a copy of every pending or new application for approval that is in any of the identified classes. Before the close of the next business day after receipt of a copy of an application from the applicant or the local approving authority, the Commission shall send written notice of receipt to the applicant and to the local approving authority. A failure of the Commission to send a timely notice shall render paragraph (3) of this subsection inapplicable as to that application.

(3) The local approving authority may not process an application of which a copy must be sent to the Commission until the local approving authority has received notice of receipt from the Commission, and any action of the local approving authority in violation of this paragraph shall be void.

§8-1812. Commission chairman; authority regarding judicial proceedings.

(a) *In general.* — After the Commission has approved or adopted a program, the chairman of the Commission has standing and the right and authority to initiate or intervene in any administrative, judicial, or other original proceeding or appeal in this State concerning a project approval in the Chesapeake Bay Critical Area. The chairman may exercise this intervention authority without first obtaining approval from the Commission, but the chairman shall send prompt written notice of any intervention or initiation of action under this section to each member of the Commission. The chairman shall withdraw the intervention or action initiated if, within 35 days after the date of the chairman's notice, at least 13 members indicate disapproval of the action, either in writing addressed to the chairman or by vote at a meeting of the Commission. A member representing the local jurisdiction affected by the chairman's intervention or action may request a meeting of the Commission to vote on the chairman's intervention or action.

(b) *Rules of procedure.* — Except as stated in this subtitle, the chairman is subject to general laws and rules of procedure that govern the time within and manner in which the authority granted in subsection (a) of this section may be exercised.

(c) *Appeal authorized.* — The chairman may appeal an action or decision even if the chairman was not a party to or is not specifically aggrieved by the action or decision.

§8-1813. Prior project approval.

(a) *Specific findings required.* — From June 1, 1984 with regard to any subdivision plat approval or approval of a zoning amendment, variance, special exception, conditional use permit, or use of a floating zone, affecting any land or water area located within the initial planning area identified in §8-1807 (a) of this subtitle, for which application is completed after that date, the approving authority of the local

JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
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REN SEREY
EXECUTIVE DIRECTOR
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ANNAPOLIS, MARYLAND 21401

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31 CREAMERY LANE
EASTON, MARYLAND 21601

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

January 19, 1996

The Honorable Parris N. Glendening
Governor
State House
Annapolis, Maryland 21401

Re: Public Service Commission
Susanne Brogan

Dear Governor Glendening:

I understand from Susanne Brogan that her term on the Public Service Commission expires on June 30, 1996. She has, I believe, written to you requesting reappointment to the Commission, and I am now writing to suggest that you give every favorable consideration to her request.

Miss Brogan has a particularly distinguished academic record and has amply demonstrated her ability to apply her superior intellect in a pragmatic and effective fashion. I know that she has come to be highly regarded for her dedicated work while serving on the Public Service Commission. Her reappointment would, in my judgment, provide the State with the benefit of her accumulated experience and her proven commitment to superior service. She is very well known and highly regarded on the Eastern Shore, and I am confident that her reappointment would be particularly well received.

With kindest personal regards and best wishes.

Sincerely,

A handwritten signature in dark ink that reads "John C. North, II". The signature is written in a cursive style with a large, sweeping initial "J".
John C. North, II

JCN,II/pm
cc: Hannah Byron, Appointments Secretary
bcc: Susanne Brogan
c:\wpdata\north\96\brogan.ltr

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
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SARAH J. TAYLOR, PhD.
EXECUTIVE DIRECTOR
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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

January 26, 1995

Mr. Robert S. Fitzgerald
27570 Fitzgerald Road
Princess Anne, Maryland 21853

Dear Mr. Fitzgerald:


Many thanks for your kind letter of January 17 explaining the reasons why you have been unable to attend Critical Area Commission meetings regularly.

It would seem that you are an extraordinarily busy community leader, and clearly Somerset County has profited immensely from all your good works.

I look forward with pleasure to seeing more of you in 1995.

With kindest personal regards.

Sincerely,


John C. North, II
Chairman

JCN, II/pm

cc: The Honorable Hannah Byron
Appointments Secretary

JUDGE JOHN C. NORTH, II
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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

January 26, 1995

Mr. Russell W. Blake
City Manager
P O Box 29
Pocomoke City, Maryland 21851

Dear Russ:

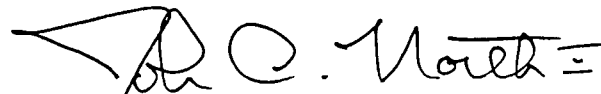
Many thanks for your letter of January 11 explaining why you have been unable recently to attend Critical Area Commission meetings with regularity.

It would seem that 1994 was an exceptionally busy time for you, and I can understand how Pocomoke City has profited substantially from your activities.

I do greatly appreciate your participation in several panel hearings on the lower shore and trust that your schedule in 1995 will be such that we will have the benefit of your sage counsel with greater frequency.

With kindest personal regards.

Sincerely,


John C. North, II
Chairman

JCN, II/pm

cc: The Honorable Hannah Byron
Appointments Secretary

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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

January 26, 1995

Mr. William K. Neild
P O Box 25
Taylor's Island, Maryland 21669

Dear Mr. Neild:

Thank you for your letter of January 23 in response to mine of January 10.

I certainly regret that the mails apparently let us both down when I wrote to you in September, 1989. Belatedly, I hope that my response both on behalf of the Governor and the Critical Area Commission was helpful to you in better understanding the State's position in this matter.

Our files have been thoroughly searched but no sign has appeared of the photos which you gave to Mr. Tamplin. I must conclude that they simply were never forwarded to this Commission.

I do indeed understand that this entire issue has been a sensitive and emotional one for many on Taylor's Island. I hope that as time goes by the situation will prove to be an acceptable one for all concerned.

If there is any way in which my staff or I can be of further service to you, I hope you will not hesitate to contact us.

Very truly yours,

A handwritten signature in dark ink, appearing to read "John C. North, II".
John C. North, II
Chairman

JCN, II/pm



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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

January 18, 1995

The Honorable Diane R. Evans, Chairman
Anne Arundel County Council
Arundel Center
Calvert and N.W. Streets
Annapolis, Maryland 21401

Dear Chairman Evans:

I am writing to extend an offer to you and to the other members of the County Council. I understand that the recent elections resulted in the addition of several new members to the Council and significant new duties for you. I would like to take this opportunity to offer a briefing to the Council on Maryland's Chesapeake Bay Critical Area Program and the relationship of our Commission to the Council and the County's implementing agencies.

If such a briefing would be helpful, I believe that Dr. Sarah Taylor-Rogers and our staff could provide an informative overview within a 30 minute time frame. We are, of course, available at your convenience.

Please contact Dr. Taylor-Rogers or me if you would like us to schedule the briefing.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II". The signature is written in a cursive style with a large initial "J".
John C. North, II
Chairman

cc: Thomas Andrews
cc: Dr. Sarah Taylor-Rogers

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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

January 17, 1997

Dear Commission Member:

RE: Dorchester County Judicial Appeal /§ 8-1812(a) Notice

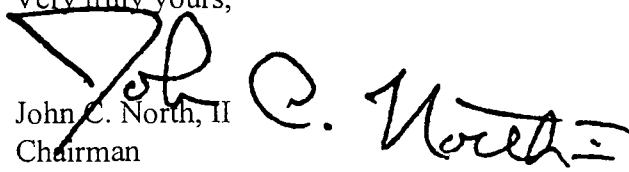
On January 16, 1997 we filed a Petition for Judicial Review stating our intent to appeal the variance granted to Raymond H. and Suzanne D. Dare.

I believe that the decision of the Dorchester County Board of Appeals improperly applied the variance standards in this case and consequently approved the applicants' request. Raymond H. and Suzanne D. Dare applied for a variance to allow an existing stand-alone gazebo and a proposed attached deck in the 100-Foot Buffer in a Resource Conservation Area. Commission staff submitted comments opposing the location of the structures based on the five variance standards. The Board of Appeals approved the requested variance.

In accordance with Natural Resources Article, §8-1812, Annotated Code of Maryland, copy enclosed, if you disapprove of my action in this case, please notify me in writing within 35 days after the date of this notice. As provided in §8-1812, if 13 members of the Commission indicate disapproval of my action in a timely manner, I shall withdraw the action initiated. Please note the other procedural safeguards set forth in §8-1812.

Thank you for your anticipated cooperation. The full Commission file on this matter is available at the Commission office for your review.

Very truly yours,


John C. North, II
Chairman

cc: Marianne D. Mason, Esquire

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 17 day of January 1997, I mailed a copy of this §8-1812(a) Notice via first class mail, postage prepaid, to each member of the Chesapeake Bay Critical Area Commission.

Peggy G. Mickler
Peggy G. Mickler

JUDGE JOHN C. NORTH, II
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CHESAPEAKE BAY CRITICAL AREA COMMISSION

January 10, 1995

Mr. William K. Neild
P O Box 25
Taylor's Island, Maryland 21669

Dear Mr. Neild:

Your recent letter to "The Daily Banner" concerning the Taylor's Island - Calvert County ferry has been called to my attention.

Among many other things your letter states that you had written both to Governor Schaefer and to me without any response.

You are in error.

Enclosed you will find a copy of a letter which I wrote to you on September 18, 1989 responding to your interest in this matter. The letter specifically states that it is on behalf of the Governor as well as the Critical Area Commission.

You also indicated that you had sent to me "almost 100 color photographs" and that these photos were never returned to you.

Again, you are in error.

Enclosed you will find a copy of your March 24, 1992 letter addressed to me in which you state that, "I had supplied our attorney, Emory Tamplin with numerous photographs of the area." There is no record of these photos in our file. I assume that they are still in Mr. Tamplin's possession.

The Critical Area Commission makes every effort to answer correspondence from the public promptly and carefully. Our records clearly reflect that we have done so in this case.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II".
John C. North, II
Chairman

JCN, II/pgm
Enclosures: cited
cc: The Daily Banner

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EASTERN SHORE OFFICE
31 CREAMERY LANE
EASTON, MARYLAND 21601

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

January 9, 1995

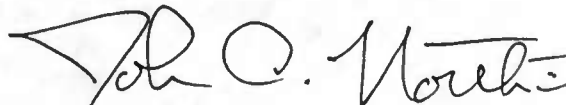
Mr. Alfred C. Wein, Jr.
Director
Cecil County Office of
Planning and Zoning
Room 300, County Office Building
Elkton, Maryland 21921

Dear Mr. Wein:

At its meeting on January 4, 1995, the Chesapeake Bay Critical Area Commission concurred with my determination that the Richard Rettig Special Growth Allocation qualifies as a refinement to the Cecil County Program. However, pursuant to Natural Resources Article §1809(p)(3)(iii) and (3)(iv), I am requesting that the portion of the driveway between lots 4 and 5 be included as part of the acreage deducted. This will ensure consistency with the Commission's policy of a single development envelope in regard to the deduction methodology used in growth allocation projects.

Kindly submit a revised acreage figure to be deducted for the driveway area. Upon receipt of the County's revision to deduct this additional area, I will then be able to approve the refinement.

Very truly yours,


John C. North, II
Chairman

JCN/LAH/

cc: Mr. Chris Rogers
Tom Deming, Esquire
Ms. Pat Pudelkewicz
Ms. Lisa Hoerger
File

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410-820-5093 FAX

SARAH J. TAYLOR, PhD.
EXECUTIVE DIRECTOR
410-974-2418/26
410-974-5338 FAX



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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

January 12, 1995

MEMORANDUM

TO: The Honorable Robert A. Pascal
Appointments Secretary

FROM: John C. North, II *J.C.N.*
Chairman, Chesapeake Bay Critical Area Commission

RE: Attendance Record of Chesapeake Bay Critical Area
Commission Members for 1994

The 1994 attendance record of the Chesapeake Bay Critical Area Commission membership is attached.

The only members whose attendance fell below the 50% requirement were Russell Blake, whose attendance was 40%; Bob Fitzgerald, whose attendance was 40%; Councilman Donald Mason, whose attendance was 40%, Parris Glendening, Prince Georges County, whose attendance was 20%; and, Paul Weidefeld whose attendance was 20%.

Attachment: cited

JUDGE JOHN C. NORTH, II
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SARAH J. TAYLOR, PhD.
EXECUTIVE DIRECTOR
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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

January 12, 1995

Mr. Alfred C. Wein, Jr.
Director
Cecil County Office of
Planning and Zoning
Room 300, County Office Building
Elkton, Maryland 21921

Dear Mr. Wein:

I have received your letter dated January 10, 1995, revising the amount of acreage deducted for the development envelope on the Richard Rettig property. It is my determination that this refinement to the Cecil County Program is hereby approved. Please make the necessary changes and incorporate this refinement into the Cecil County Program within 120 days from the date of this letter.

Thank you for your cooperation.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II".

John C. North, II
Chairman

JCN/

cc: Mr. Chris Rogers
Tom Deming, Esquire
Ms. Pat Pudelkewicz
Ms. Lisa Hoerger
File



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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

January 6, 1995

VIA TELEFAX
410-957-0939
Hard Copy follows

Mr. Russell W. Blake
7 Winter Quarters Drive
Pocomoke City, Maryland 21851

Dear Mr. Blake:

This letter is being sent to you because our records show that you have attended 4 of the 10 meetings held by the Commission during the Calendar Year 1994. Section 8-1804 (c) (6) of the Critical Area Law states:

Any member of the Commission appointed by the Governor who shall fail to attend at least 60% of the meetings of the Commission during any period of 12 consecutive months shall be considered to have resigned, and the Chairman shall forward the member's name to the Governor, not later than January 15 of the year following the non-attendance with the statement of the non-attendance, and the Governor shall appoint a successor for the remainder of the term. If the member has been unable to attend meetings as required by this subtitle for reasons satisfactory to the Governor, the Governor may waive the resignation if the reasons are made public.

As I must make a report to the Governor pertaining to attendance, I would appreciate receiving from you by January 13, 1995 a letter of explanation in order to file my report.

Thank you for your cooperation with this request. We greatly value your attendance and participation on this Commission.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II". The signature is stylized and includes a large flourish at the end.

John C. North, II
Chairman

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
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EXECUTIVE DIRECTOR
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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

January 6, 1995

Mr. Robert S. Fitzgerald
27570 Fitzgerald Road
Princess Anne, Maryland 21853

Dear Mr. Fitzgerald:

This letter is being sent to you because our records show that you have attended 4 of the 10 meetings held by the Commission during the Calendar Year 1994. Section 8-1804 (c) (6) of the Critical Area Law states:

Any member of the Commission appointed by the Governor who shall fail to attend at least 60% of the meetings of the Commission during any period of 12 consecutive months shall be considered to have resigned, and the Chairman shall forward the member's name to the Governor, not later than January 15 of the year following the non-attendance with the statement of the non-attendance, and the Governor shall appoint a successor for the remainder of the term. If the member has been unable to attend meetings as required by this subtitle for reasons satisfactory to the Governor, the Governor may waive the resignation if the reasons are made public.

As I must make a report to the Governor pertaining to attendance, I would appreciate receiving from you by January 13, 1995 a letter of explanation in order to file my report.

Thank you for your cooperation with this request. We greatly value your attendance and participation on this Commission.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II".
John C. North, II
Chairman

George John C. North, II
Chairman



Ren Serey
Executive Director

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

45 Calvert Street, 2nd Floor, Annapolis, Maryland 21401
(410) 260-7516 Fax: (410) 974-5338

February 5, 1999

The Honorable Jennifer Crawford
Appointments Secretary
State House
Annapolis, Maryland 21401

Dear Secretary Crawford:

It has been brought to my attention that Ms. Diane Evans has been informed by your office that her term as Anne Arundel County's representative to the Chesapeake Bay Critical Area Commission has expired. Ms. Evans served most ably for six years and it is with regret that I note that she no longer meets the Critical Area Act's requirement that the County's representative be an elected or appointed official. I am confident that the Governor will appoint a suitable successor. To assist you in the selection process, please allow me to offer the name of Ms. Judith Evans for your consideration.

Judith Evans, no relation to Diane, serves the Town of Highland Beach in Anne Arundel County as a member of the Committee for Shore Erosion Control and Environmental Concerns, a position appointed by the Town's mayor. Additionally, Ms. Evans served for eight years on the Highland Beach Planning & Zoning Commission, five as chair. Her efforts in organizing that Commission ensured that the Town's first Comprehensive Plan, Zoning Ordinance and environmental regulations not only met all State requirements but operated effectively to preserve the character of this historic community as it adjusted to new stages of growth.

It is my belief that Ms. Evans would bring a high level of expertise and enthusiasm to the Commission's efforts to safeguard the Chesapeake Bay. She has shown a strong commitment to the success of the Critical Area program in Highland Beach and would admirably represent the needs, concerns and interests of small municipalities in the Commission's deliberations. Ms. Evans, a professional real estate broker, also well understands that successful environmental policies are designed in concert with business and development interests. Finally, the appointment of Ms. Evans, an African-American woman, can help the Governor's effort to ensure that the memberships of the State's boards and commissions reflect Maryland's diversity of population.

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(410) 822-9047 Fax: (410) 820-5093

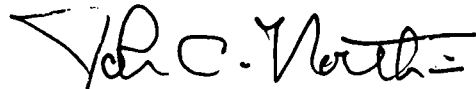
The Honorable Jennifer Crawford

February 5, 1999

Page 2

Thank you for the opportunity to bring Judith Evans to your attention. Please contact me or Mr. Ren Serey, the Commission's Executive Director, if you have questions or need additional information. If you wish to contact Ms. Evans directly, her telephone number is (410) 267-6804.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II". The signature is written in a cursive style with a horizontal line at the end.

John C. North, II
Chairman



Judge John C. North, II
Chairman

Ren Serey
Executive Director

**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

45 Calvert Street, 2nd Floor, Annapolis, Maryland 21401
(410) 260-7516 Fax: (410) 974-5338

February 5, 1999

Joseph A. Stevens, Esquire
P.O. Box 146
114 West Water Street
Centreville, Maryland 21617

Re: Ratcliffe Manor/Glenwood Farm

Dear Mr. Stevens:

Thank you for your letter of January 26 concerning the interest of your client, Argonaut Land Company, in developing the Ratcliffe Manor and Glenwood Farm areas on the head waters of the Tred Avon River and Dixon Creek near Easton.

It is my understanding that your client proposes to construct some five hundred dwelling units, a golf course and provide dockage for seventy-five boats on these parcels, which total about three hundred fifty acres. I believe there are about three hundred acres in the Critical Area, all in the category of Resource Conservation.

You have suggested that this proposed development should be granted Critical Area growth allocation and should be considered smart growth because it is situated near the town of Easton and could take advantage of Easton's existing infrastructure. You have chosen to ignore the potentially enormous environmental problems which this development could cause. I have chosen to alert the Easton Town Council and the Talbot County Planning Commission to the environmental dangers as I perceive them. The extraordinary density which your client proposes would, I believe, constitute dumb rather than smart growth.

The property in question is something of a peninsula, with Dixon Creek on the westerly side and the headwaters of the Tred Avon on the south-easterly side. Both of these waterways are relatively shallow, relatively narrow and, because they are headwaters, are poorly flushed by tidal action. You have pointed out that the Corps of Engineers on a "regular schedule" dredges the channel in the Tred Avon to Easton Point. I should have mentioned this in my public

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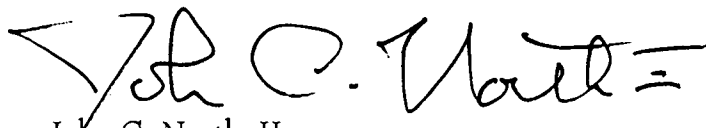
Joseph A. Stevens
Page Two
February 5, 1999

comments because it points up the fact that this body of water is already stressed, not only by the dredging which does such violence to the bottom ecology but also by the commercial storage of stone and petroleum products at Easton Point and by the marina/boatyard located there. Additionally, the huge Easton Club golf course and residential development directly across the Tred Avon from Ratcliffe has undoubtedly had a profound effect upon the flora and fauna in this area, the long term effects of which are, as yet, unknown.

You have suggested that it is somehow inappropriate or undesirable for me to have spoken out on this matter before it is formally before the Critical Area Commission for its review. I believe that it is my duty and my obligation as Chairman of Critical Areas and as one of the principal stewards of the Bay to speak out promptly and forcefully when I am made aware of a project of this magnitude having the potential for such far reaching environmental damage. I can understand that your client would prefer that I not make these views known.

The Critical Area staff and I stand ready at all times to work with and assist you in this matter in arriving at a more responsible plan for development.

Very truly yours,



John C. North, II
Chairman

JCN,II/pm

cc: Ren Serey, Executive Director, CBCAC
Argonaut Land Company, L.L.C.
Chesapeake Bay Critical Area Commission Members
Ronald M. Kreitner, Director, Maryland Office of Planning
Ronald N. Young, Deputy Director, Maryland Office of Planning
Mayor and Council, Town of Easton
Talbot County Council
Charles, I. Ecker, Acting Chairperson
Economic Growth, Resource Protection and Planning Commission
John R. Griffin, Secretary, Department of Natural Resources



Judge John C. North, II
Chairman

Ren Serey
Executive Director

**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

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(410) 974-2426 Fax: (410) 974-5338

March 16, 1998

The Honorable Roy P. Dyson
James Senate Office Building
Room 215
Annapolis, Maryland 21401

Dear Senator Dyson:

I am sorry that I was unable to reach you by phone last week.

The legal proceedings concerning Dr. and Mrs. Laheri have been concluded. The Circuit Court for St. Mary's County granted the Critical Area Commission's request for a permanent injunction covering all development activities in the Buffer on Dr. Laheri's property and ordered the site restored to its condition prior to the recent development activities.

When I phoned your office last week, I mentioned to your aide that it is indeed unfortunate you were not privy to all the facts in this matter. Specifically, it is important that you understand the following:

- The consent decree which governs development in the Critical Area Buffer on this property results from the settlement of previous litigation. It was signed by Mr. Phil Dorsey, the original owner, and by St. Mary's County and the Critical Area Commission. The decree specifies that a house and garage can be constructed within the Buffer and that no further Buffer development activity may occur. The house and garage were constructed in 1994.
- The consent decree is binding on the property owner and all subsequent owners. It is filed among the land records in the St. Mary's County Courthouse in Liber 782, page 247. As the Court said in its ruling, the consent decree is the single most important document concerning development on this property.
- Dr. Laheri purchased the property in 1996 and was made fully aware that any development within the Critical Area Buffer was subject to approval by St. Mary's County and the Critical Area Commission. He acknowledged this to Ren Serey,

The Honorable Roy P. Dyson
March 16, 1998
Page 2

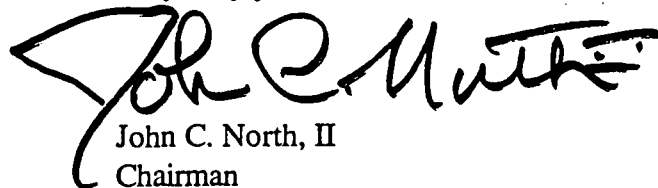
the Commission's Executive Director, and others, in an on-site meeting on February 11, 1998. Dr. Laheri said that he considered purchasing the property from Mr. Dorsey in 1993 but bowed out due to concerns about the consent decree. He was represented at that time by Mr. Michael Harris, who also represented Mr. Dorsey when the consent decree was adopted. On the witness stand during the Court proceedings Dr. Laheri said he had no prior knowledge of the decree.

- After signing a voluntary agreement on February 6, 1998, to discontinue further work on the property, Dr. Laheri nevertheless continued to work on the project.
- The Buffer disturbance undertaken by Dr. Laheri was substantial. At the top of a steep bank 35 feet from Breton Bay, Dr. Laheri excavated an area approximately 50 feet by 12 feet to a depth of more than six feet. Further grading and a retaining wall would have completed the project.
- If the Court had not ordered restoration, this disturbance would have had a profound and permanent impact on the functioning of the Buffer on the property because of the alteration of overland stormwater flows and hydrology and the removal of vegetation.

You mentioned that you may want to discuss the matter of Dr. Laheri with the Joint Oversight Committee on the Critical Area. If you think the Oversight Committee members would be interested, I propose that we meet with them as soon as possible. I would be pleased to provide each member with a copy of the consent decree and photographs of the site taken before and after the excavation. These would be particularly valuable to the Committee's inquiry because they show the magnitude of the disturbance and its proximity to the water. The Court testimony of Dr. Laheri's next door neighbor, Ms. Julie Burke also would be of interest. The Court apparently found Ms. Burke to be a persuasive witness as she described the shock she felt upon seeing the Buffer so blatantly disturbed and her bewilderment as to why a Critical Area program had been enacted if such activity were permitted to occur.

Please let me know if I can be of further service.

Very truly yours,



John C. North, II
Chairman

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410-820-5093 FAX

REN SEREY
EXECUTIVE DIRECTOR
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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

February 13, 1996

Honorable Walter M. Baker
Chairman, Judicial Proceedings Committee
James Senate Office Building
Annapolis, Maryland 21401

Re: SB 137 - Cecil County, Construction on Piers

Walter
Dear Senator Baker:

I am writing to explain the Chesapeake Bay Critical Area Commission's position regarding SB 137. We are unable to support the bill and felt that you should have the benefit of our thinking on the matter.

As you know, in 1989 the General Assembly amended two sections of the Natural Resources Article to prohibit certain structures on piers over tidal waters and tidal wetlands. One section restricted the Department of Natural Resources from authorizing non-water-dependent structures on piers, except if the pier existed on December 1, 1985 and was located in the Intensely Developed Area of the Critical Area. The other section amended the Critical Area Act and restricted local governments from issuing building permits except in similar circumstances. Thus, landowners were presented with consistent requirements which allowed for some, though limited, development of a non-water-dependent nature on piers.

SB 137 will present the public with an inconsistent and confusing system of regulation. Although landowners will be exempted from the need for State permits, they will be unable to obtain local permits for these same structures. Such a situation, we believe, will provide no benefit to Cecil County landowners and will create

Senator Baker

Page 2

confusion in other Critical Area jurisdictions. The Commission will find it difficult to assure consistent and uniform administration of the Critical Area Program as required under the Critical Area Act.

For these reasons the Commission must respectfully oppose SB 137. We recommend, as an alternative, that any changes deemed necessary concerning structures on piers be incorporated into statewide regulations, currently under review by the Department of the Environment. We are working closely with MDE and believe that environmental and administrative concerns can be addressed more appropriately through this process than by legislation which affects only one jurisdiction.

I am available at your convenience to discuss these issues or to answer any questions.

With kindest personal regards and best wishes.

Sincerely,



John C. North, II
Chairman

JUDGE JOHN C. NORTH, II
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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

February 7, 1996

The Honorable Norman R. Stone, Jr.
James Senate Office Building
Presidential Wing
Annapolis, Maryland 21401-1991

Dear Senator Stone:

I would like to take this opportunity to thank you for your attendance at the public hearing held on December 20, 1995 at the North Point Library concerning the Baltimore County Buffer Management Area Program. I would also like to thank you for your continued support of the Critical Area Program. The Commission recognizes and appreciates the cooperative effort involved in devising a program like the Buffer Management Area Program. It is through such cooperative effort between the Commission staff, County staff and local public officials like yourself, that we can design reasonable solutions to seemingly unresolvable problems.

At its meeting on January 3, 1996, the Chesapeake Bay Critical Area Commission approved the Baltimore County Buffer Management Program for a two year trial period. The Commission staff will work with the County staff to monitor the implementation and effectiveness of the County's Buffer Management Area Program during this two year period. At the end of the two years, staff will report back to the Commission.

Again, thank you for your support of the Buffer Management Area Program and of the Critical Area Program. My staff, as always, is available to you to discuss any concerns or questions you might have in regard to the Baltimore County Buffer Management Area Program.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II". The signature is stylized and includes a flourish at the end.

John C. North, II
Chairman

JUDGE JOHN C. NORTH, II
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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

February 1, 1996

The Honorable John R. Griffin
Secretary, Department of Natural Resources
Tawes State Office Building
508 Taylor Avenue
Annapolis, Maryland 21401

Dear John:

I appreciate having had the opportunity to meet with you and Ron Young last week to discuss the proposed relocation of the Critical Area offices from 45 Calvert Street to the Tawes Building.

I can well understand that you are in a situation where it is incumbent upon you to take necessary and appropriate steps to curtail operating expenses for all DNR branches and to downsize staff and promote efficient operating procedures whenever possible. And I can further understand that on the face of things it would seem to be a step in the right direction to have all DNR operations in Annapolis under one roof.

The situation, I suggest, requires further analysis.

You and Ron advanced three reasons for suggesting the move:

- (1) It would promote better communication between Critical Areas and other departments in DNR.
- (2) It would facilitate face to face contact between Critical Area staff and other DNR staff.
- (3) It would result in a saving of some sort to the State to have Critical Areas make its present space available to other State

The Honorable John R. Griffin
Page Two
February 1, 1996

agencies - despite the fact that we pay no rent at 45 Calvert Street and would pay no rent at the Tawes Building.

I believe that it was agreed, on further thought, that reason (1) lacked validity because we already communicate superbly well via telephone, fax, voice mail and E-mail. These same methods of communication would continue to be used wherever our staff is located.

Face to face contact between Critical Area people and other DNR departments is of little importance because there is scant correlation between our area of responsibility and other DNR subdivisions. However, should anyone from Critical Areas be needed in person at the Tawes Building that could be accomplished by a ten minute walk.

I can understand your thought in wishing to save other agencies rental expenses if our present quarters would be made available to them. The difficulty with this is that by moving from our present quarters where there are sixteen (16) private offices to the proposed space where there would be no staff privacy, the efficiency and confidentiality of our operation would be most seriously impaired.

Every day Critical Area personnel are involved in significant and often highly confidential conversations and conferences with land owners, developers, attorneys, legislators and State and local officials. These discussions frequently have to do with ongoing or contemplated litigation. It goes without saying that privacy is of paramount importance to all concerned and is essential to our effective operation. To remove our people from their present individual offices where doors can be closed and confidentiality assured to a situation where everyone is in the same large room, separated from one another only by dividers would present a most serious impediment to the administration of our responsibilities. I must tell you candidly that our staff is truly dismayed at the prospect of this relocation. I believe that you are aware that Critical Areas is particularly fortunate in having such a dedicated, able and highly effective group of people working in concert on a program which,

The Honorable John R. Griffin

Page Three

February 1, 1996

arguably, is the cornerstone of all the State's Chesapeake Bay preservation efforts. I am absolutely convinced that the proposed move would very adversely affect the functioning of our entire program and simultaneously would serve to demoralize our staff to a most serious degree. On top of all of this it would cost fifteen to twenty thousand dollars to accomplish the move and make all the necessary new telephone, fax and computer connections.

It isn't worth the candle, John. It really isn't.

With kindest personal regards and best wishes.

Sincerely,



John C. North, II
Chairman

JCN

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
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REN SEREY
EXECUTIVE DIRECTOR
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**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

February 7, 1996

The Honorable Norman R. Stone, Jr.
James Senate Office Building
Presidential Wing
Annapolis, Maryland 21401-1991

Dear Senator Stone:

I would like to take this opportunity to thank you for your attendance at the public hearing held on December 20, 1995 at the North Point Library concerning the Baltimore County Buffer Management Area Program. I would also like to thank you for your continued support of the Critical Area Program. The Commission recognizes and appreciates the cooperative effort involved in devising a program like the Buffer Management Area Program. It is through such cooperative effort between the Commission staff, County staff and local public officials like yourself, that we can design reasonable solutions to seemingly unresolvable problems.

At its meeting on January 3, 1996, the Chesapeake Bay Critical Area Commission approved the Baltimore County Buffer Management Program for a two year trial period. The Commission staff will work with the County staff to monitor the implementation and effectiveness of the County's Buffer Management Area Program during this two year period. At the end of the two years, staff will report back to the Commission.

Again, thank you for your support of the Buffer Management Area Program and of the Critical Area Program. My staff, as always, is available to you to discuss any concerns or questions you might have in regard to the Baltimore County Buffer Management Area Program.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II". The signature is written in a cursive style with a large initial "J" and a double underline at the end.

John C. North, II
Chairman

JUDGE JOHN C. NORTH, II
CHAIRMAN
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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

February 28, 1995

VIA TELEFAX
410-974-3275

His Excellency Parris N. Glendening
Governor
State House
Annapolis, Maryland 21401

Dear Governor:

Assuming that you wish to re-name me as Chairman of Critical Areas, I should get on with the process of selecting Dr. Sarah Taylor-Rogers' replacement as Executive Director.

Two companion questions present themselves:

- (1) Do you wish me to remain as Chairman?
- (2) Do you have any suggestions as to Sarah's replacement?

My current thinking, assuming you wish me to stay on board, is to select someone from the present Critical Area staff to succeed Sarah.

May I have your thoughts, please? With all best wishes.

Respectfully,

A handwritten signature in black ink, appearing to read "John C. North, II".

John C. North, II
Chairman

JUDGE JOHN C. NORTH, II
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31 CREAMERY LANE
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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

February 2, 1995

Mrs. Lynn L. Adkins
502 Forest Drive
Fruitland, Maryland 21816

Dear Mrs. Adkins:


I would like to express to you on behalf of the Critical Area Commission, the Commission staff and myself, our most sincere condolences on the loss of Ron.

In Annapolis we all knew him as a particularly bright, capable and energetic Commission member. He was always an active participant in our discussions and an energetic advocate of Eastern Shore standards and objectives.

I know that you and all his friends and family members will miss him enormously, but I also know that you take pride and consolation in his many accomplishments for Somerset County, for the Chesapeake Bay and for the State of Maryland.

With kindest personal regards.

Most respectfully,


John C. North, II
Chairman



JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410-820-5093 FAX



WESTERN SHORE OFFICE
45 CALVERT ST., 2ND FLOOR
ANNAPOLIS, MARYLAND 21401

SARAH J. TAYLOR, PhD.
EXECUTIVE DIRECTOR
410-974-2418/26
410-974-5338 FAX

EASTERN SHORE OFFICE
31 CREAMERY LANE
EASTON, MARYLAND 21601

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

February 2, 1995

His Excellency Parris N. Glendening
Governor, State of Maryland
State House
Annapolis, Maryland 21401

Re: J. Steven Wise
Denton, Maryland

Dear Governor Glendening:

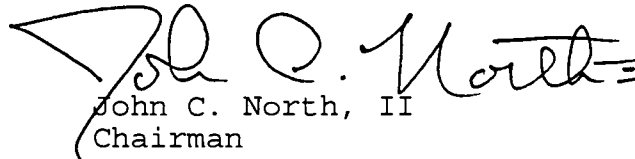
J. Steven Wise is a young man of twenty-six years who aspires to a role in state government. He was a particularly bright and capable intern with the Critical Area Commission in the summer of 1991. His father, J. Owen Wise, is the distinguished Judge of the Circuit Court for Caroline County, as was his grandfather before him.

Steve holds a bachelor's degree in political science and a master's in public administration, both from Florida State University. Enclosed for your ready reference is a copy of his resume'.

I believe that Governor Hughes, who knows Steve well and is a close friend of the Wise family, has written a letter of recommendation to you on Steve's behalf. I would like to second this recommendation and urge your favorable consideration of this most deserving and promising young man in whatever position you might think appropriate.

With kindest personal regards.

Respectfully,


John C. North, II
Chairman

P.S. I neglected to mention that Steve presently is serving as legislative aide to Delegates Carolyn Krysiak and Peter Hammen of District 46.

JCN, II/pm
Enclosure: cited

J. Steven Wise

P.O. Box 116
Denton, MD 21629
410/479-2028

EDUCATION

- August, 1994 Florida State University, Tallahassee, FL
Master's Degree in Public Policy with an emphasis in Communications.
- August, 1991 Florida State University, Tallahassee, FL
Bachelor of Science Degree in Political Science with supplementary work in Economics and Urban and Regional Planning.

PROFESSIONAL EXPERIENCE

- 1995-present Legislative Aide Maryland General Assembly, Office of Delegates Krystak and Hammen, Annapolis, MD
Monitored budgetary and fiscal issues at the committee level, researched statutes, communicated to Delegates the concerns of constituents and interest groups and drafted correspondence.
- 1994 Intern, U.S. House of Representatives, Office of Benjamin Cardin (MD), Washington, DC
Conducted research in the Library of Congress, attended hearings regarding various issues and drafted constituent correspondence.
- 1993 Campaign Manager, Johnson for Maryland Senate (37th District), Cambridge, MD
Organized fundraisers, coordinated media relations, briefed constituents on policy positions and handled various administrative duties.
- 1993-1994 Legislative/Research Assistant, Carlton Fields Ward, Emmanuel Smith, Cutler, Tallahassee, FL
Responsible for various tasks in the legislative branch of the law firm. Ensured that pertinent legislation was monitored and addressed for clients. Other duties included legal research and administrative tasks involving state agencies.
- 1991-1992 Policy Analyst, Resource Management Consultants, Inc., Washington, DC
Conducted research and collaborated on the writing of a reference book on economic incentives for the Chesapeake Bay Critical Area Commission. Drafted a weekly newsletter and provided assistance in lobbying for several environmental and agricultural groups. Served as assistant to the President, Robert Gray.
- 1991 Intern, State of Maryland, Chesapeake Bay Critical Area Commission, Annapolis, MD
Researched policies of zoning and building within the Critical Area, analyzed county maps of the Critical Area for consistency with state maps and interpreted various economic incentives offered by the State for landowner use.

SKILLS

Typing 60-65 wpm; WordPerfect, Word for Windows, SPSS and Lotus software.

REFERENCES AVAILABLE UPON REQUEST

J. Steven Wise

P.O. Box 116
Denton, MD 21629
410/479-2028

OBJECTIVE

To obtain a responsible position in a public, private or nonprofit organization working with the public, legislation and/or government related activities.

Qualified in areas of policy analysis, media relations, speech writing, political communications, and statistical preparation and analysis. Offering a diversified employment history with a proven ability to work with the public, work independently, and present a competent, professional image for a quality organization.

PROFESSIONAL EXPERIENCE

- 1/93-6/94 Legislative/Research Assistant Carlton, Fields, Ward, Emmanuel, Smith, Cutler
Tallahassee, FL
Responsible for various tasks in the legislative branch of the law firm. Ensured that pertinent legislation was monitored and addressed for clients. Other duties included legal research and administrative tasks involving state agencies.
- 9/93-12/93 Intern, Moore Consulting Group, Tallahassee, FL
Gained experience in writing speeches for clients while working closely with the media in the scheduling and promotion of events.
- 9/91-8/92 Policy Analyst Resource Management Consultants, Inc. Washington, D.C.
Conducted research and collaborated on the writing of a reference book on economic incentives for the Chesapeake Bay Critical Area Commission, provided assistance in lobbying for several environmental and agricultural groups, and served as assistant to the President, Robert Gray.
- Summer, 1991 Intern State of Maryland, Chesapeake Bay Critical Area Commission, Annapolis, MD
Researched policies of zoning and building within the Critical Area, analyzed county maps of the Critical Area for consistency with state maps, and interpreted various economic incentives offered by the State for landowner use.

EDUCATION

- August, 1991 Florida State University, Tallahassee, FL
Bachelor of Science Degree in Political Science with supplementary work in Economics and Urban and Regional Planning.
- August 1994 Florida State University, Tallahassee, FL
Masters Degree in Public Administration with an emphasis in communications.

HONORS

United States Jaycees, Gold Key Leadership Honorary, Order of Omega Leadership Honorary, Sigma Phi Epsilon Fraternity, Florida State University Judicial Board, Secretary, Florida State University Interfraternity Council Executive Board, Secretary.

REFERENCES AVAILABLE UPON REQUEST

RECEIVED

SEP 1 1994

CHESAPEAKE BAY
CRITICAL AREA COMMISSION



John C. North, II
Chairman

Ren Serey
Executive Director

**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

45 Calvert Street, 2nd Floor, Annapolis, Maryland 21401
(410) 260-7516 Fax: (410) 974-5338

March 9, 1999

The Honorable Ronald A. Guns, Chairman
The House of Environmental Matters Committee
House Office Building, Room 161
Annapolis, MD 21401-1991

RE: HB 665 Critical Area - Impervious Surfaces - Exemption

Dear Mr. Chairman:

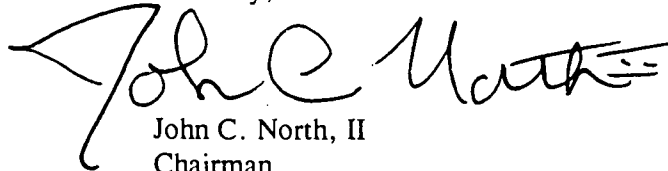
I am writing to bring to your attention a matter of some concern to the Chesapeake Bay Critical Area Commission. HB 665 creates an exemption to the impervious surface limits for swimming pools and thus departs from the broad-based and carefully considered changes to those limits enacted just three years ago (SB 657, Chapter 410, Acts, 1996).

The 1996 amendments to the Critical Area Act applied to grandfathered lots and were supported by the Commission, local governments and the Chesapeake Bay Foundation. These changes provided much-needed relief to owners of small lots developed before implementation of the Critical Area program. The new limits have been in effect since October 1, 1996, and in that short time seem to have provided the flexibility to deal effectively with the constraints of development on small grandfathered lots.

The Commission encourages new ideas and more effective and equitable ways of implementing the Critical Area program. The method of change provided by HB 665, however, is most inappropriate. If homeowners need additional relief from the impervious surface regulations, we should revisit the statutory limits. We should not begin identifying classes of structures for exemption. Such a course of action is neither efficient nor helpful to the local governments charged with administering the Critical Area requirements.

Thank you for your consideration of these issues. Please contact me or Mr. Ren Serey, the Commission's Executive Director, if we can be of further assistance.

Sincerely,



John C. North, II
Chairman

Branch Office: 31 Creamery Lane, Easton, MD 21601
(410) 822-9047 Fax: (410) 820-5093

John C. North, II
Chairman



Ren Serey
Executive Director

**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

45 Calvert Street, 2nd Floor, Annapolis, Maryland 21401
(410) 260-7516 Fax: (410) 974-5338

March 8, 1999

The Honorable Gerald Donovan
Town of Chesapeake Beach
P.O. Box 400
Chesapeake Beach, Maryland 20732

RE: Walkway and Sidewalk Improvements in Chesapeake Beach

Dear Mayor Donovan:

It is my understanding that construction on the referenced project has recently started and that grading is currently underway to install sidewalks along Bayside Road. This project was approved by the Critical Area Commission on February 4, 1998 and because the project involved impacts to the 100-foot Buffer within a Buffer Exemption Area, mitigation was required. The Commission's approval included the condition that detailed planting plans be submitted to Commission staff for review and approval **prior to the start of construction of each phase.**

Location plans at 1"= 200' scale were received by the Commission on February 3, 1998 with assurances from the Town's Engineer, Mr. John Hofmann, that detailed planting plans would be provided after he had had the opportunity to review the possible mitigation sites. The detailed planting plans have not been received by the Commission staff. The Town is, therefore, in violation of the Commission's conditions of approval. It is imperative that these plans be submitted immediately.

With regard to the phase of the project that involves construction on Town property, final drawings must be submitted to the Commission with a letter certifying that the project is consistent with the Town's Critical Area Program as required by COMAR 27.02.02 (State and Local Agency Actions Resulting in Development of Local Significance on Private Lands or Lands Owned By Local Jurisdictions). A detailed planting plan also should be submitted with this project. These items must be received by the Commission before the start of construction of this phase.

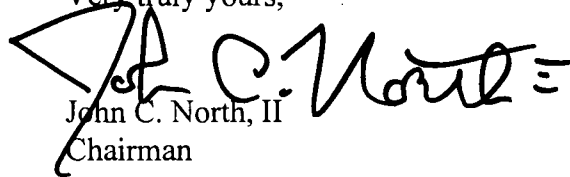
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(410) 822-9047 Fax: (410) 820-5093

TTY FOR DEAF ANNAPOLIS-974-2609 D.C. METRO-586-0450

The Honorable Gerald Donovan
March 8, 1999
Page 2

Commission staff are available to assist you with these requirements in order to bring the Town's project into compliance as soon as possible. If you have any questions or need assistance, please contact Mary Owens at (410) 260-7033.

Very truly yours,



John C. North, II
Chairman

cc: Mr. John Hofmann

File



Judge John C. North, II
Chairman

Ren Serey
Executive Director

**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

45 Calvert Street, 2nd Floor, Annapolis, Maryland 21401
(410) 974-2426 Fax: (410) 974-5338

March 5, 1998

Mr. Gary Setzer
Maryland Department of the Environment
Water Management Administration
2500 Broening Highway
Baltimore, Maryland 21224

RE: RE-MAPPING REQUEST AND NONTIDAL WETLANDS 96-NT-0976

Dear Mr. Setzer:

Commission staff attended the MDE hearing on the referenced re-mapping request and permit to fill nontidal wetlands on February 27, 1998, and I have discussed this matter with the Chairman of the Commission Panel dealing with Chesapeake Beach, Mr. Mike Whitson. I believe there are some serious issues that affect the issuance of the permit to fill nontidal wetlands. Specifically, Section 27.01.09.01 of the Criteria states that, "Local jurisdictions shall expand the Buffer beyond 100 feet to include contiguous, sensitive areas such as steep slopes, **hydric soils**, or highly erodible soils, whose development or disturbance may impact streams, **wetlands**, or other aquatic environments." Section I. of the Town's Critical Area Program (page 9-5) includes similar language.

Nontidal wetlands are characterized by hydric soils (as well as hydrophytic vegetation, and specific hydrologic characteristics). When the 100-Buffer falls within a delineated nontidal wetland, it is assumed that any development of, filling of or disturbance to the nontidal wetland is "impacting a wetland or other aquatic environment", and the Buffer must be expanded to include the nontidal wetlands. As you know, development may not be permitted in the Buffer or the expanded Buffer.

The Commission has been involved with the project associated with the referenced applications because an application for a Buffer Exemption Area designation was submitted by the Town of Chesapeake Beach. At the November 3, 1997 meeting, the Commission Panel

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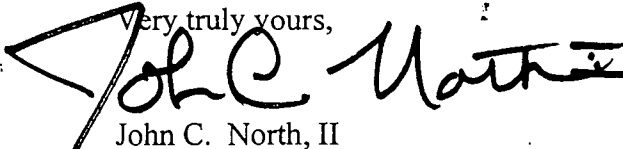
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Mr. Setzer
March 5, 1998
Page Two

discussed the Buffer Exemption Area designation, but at the Town's request, discussion of the matter by the full Commission was postponed until January. At the January meeting, Commission staff presented a letter from the Town stating that the project sponsor had been working with MDE, and the Town requested that the Commission continue to refrain from taking action on the Town's request until they had concluded discussions with MDE. The Town proposed to furnish another status update at the March meeting. No status update was provided to the Commission at the March meeting.

Although the Town has not formally submitted a plan to the Commission showing the re-mapping of the wetlands and the "new 100-foot Buffer", the drawings used at Friday's MDE hearing showed the 100-foot Buffer located approximately in the middle of two acres of nontidal wetlands. This drawing does not reflect the required Buffer expansion, and the Commission is strongly opposed to any filling of or development to the nontidal wetlands within the expanded Buffer. The Commission is certainly willing to continue working with the Town and the project sponsor on a Buffer Exemption Area designation if the project can not be accomplished without disturbance to the expanded Buffer. I am anxious to resolve this issue before a permit is issued by MDE, and I would like to arrange a meeting with you and your staff with the Panel and Commission staff as soon as possible. Mary Owens of my staff will be contacting you to schedule a meeting next week. If you have any questions, please feel free to contact me or Ms. Owens at (410) 974-2426.

Very truly yours,

John C. North, II
Chairman

JCN/jjd

cc: Mr. Rick Ayella, MDE
Mr. Terry Clarke, MDE
Mr. Dolden Moore, MDE

REFLECTOR POSITION
TRANSMISSION

1947-05-26 THU 21:19

TERM ID:

1-2030

TEL NO.:

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John C. North, II
Chairman



Ren Serey
Executive Director

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

45 Calvert Street, 2nd Floor, Annapolis, Maryland 21401
(410) 974-2426 Fax: (410) 974-5338

March 25, 1998

Ms. Tana Glockner-Shultz
P.O. Box 907
California, Md 20619

Re: Dr. N. K. Laheri

Dear Mr. Glockner-Shultz:

Thank you for your letter of March 18 pertaining to the residence of Dr. N. K. Laheri in St. Mary's County.

You have suggested that Dr. Laheri was "caught in the middle of a 'fight' between two agencies." What actually happened was that the St. Mary's County Department of Planning and Zoning erroneously and improperly delivered a building permit to Dr. Laheri even after having been warned by my office not to do so. The facts and the law were so abundantly clear in this matter that the Critical Area Commission had no choice but to go to court to challenge the legitimacy of the County's permit. Judge Raley had no difficulty in finding that the arguments advanced by the attorney for the county, Stephen Norman, Esquire to be "dead wrong."

In my opinion, Dr. Laheri would clearly be within his rights to sue the county for monetary damages for having issued the building permit after having been warned by this office not to do so.

I further believe that if, as you suggest, "Dr. Laheri's closing was done hastily, and this matter simply fell through the cracks," (the "matter" being the consent decree which restricted building on the property) then the attorney representing Dr. Laheri was clearly negligent and is vulnerable to being sued on the basis of legal malpractice.

As I understand it, Dr. Laheri indicated that one of the reasons for his proposed expansion was to permit natural light to enter his basement. The Critical Area Commission would have no objection to the installation of windows in that portion of the building's foundation which extends above the original grade of the yard.

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(410) 822-9047 Fax: (410) 820-5093

Ms. Tana Glockner-Shultz
Page Two
March 25, 1998

I hope that with this explanation you will have a better understanding of this entire situation.

With kindest personal regards and best wishes.

Sincerely,


John C. North, II
Chairman

JCN,II/pm
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Judge John C. North, II
Chairman



Ren Serey
Executive Director

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

45 Calvert Street, 2nd Floor, Annapolis, Maryland 21401
(410) 974-2426 Fax: (410) 974-5338

March 24, 1998

Mr. John Hofmann
Town of Chesapeake Beach
P.O. Box 400
Chesapeake Beach, Maryland 20732

RE: Tidewater Homes

Dear Mr. Hofmann:

Commission staff attended the MDE hearing on the referenced re-mapping request for tidal wetlands and permit to fill nontidal wetlands on February 27, 1998, and I have discussed this matter with the Chairman of the Commission Panel dealing with Chesapeake Beach, Mr. Mike Whitson and the staff of MDE. I believe there are some serious issues that affect the Town's approval of the Tidewater Homes project as presented at the hearing. Specifically, Section 27.01.09.01 of the Critical Area Criteria states that, "Local jurisdictions shall expand the Buffer beyond 100 feet to include contiguous, sensitive areas such as steep slopes, **hydric soils**, or highly erodible soils, whose development or disturbance may impact streams, **wetlands**, or other aquatic environments." Section I. of the Town's Critical Area Program (page 9-5) includes similar language.

The approval of the re-mapping request on the Tidewater Homes property will reclassify tidal wetlands as nontidal wetlands. Nontidal wetlands are characterized by hydric soils (as well as hydrophytic vegetation, and specific hydrologic characteristics). When the 100-Buffer falls within a delineated nontidal wetland, it is assumed that any development of, filling of or disturbance to the nontidal wetland is "impacting a wetland or other aquatic environment", and that the Buffer must be expanded to include the nontidal wetlands. As you know, development may not be permitted in the Buffer or the expanded Buffer.

The Town has not formally submitted a plan to the Commission showing the re-mapping of the wetlands and the "new 100-foot Buffer"; however, it is my understanding that current plans show the 100-foot Buffer located approximately in the middle of two acres of nontidal wetlands. The plans do not reflect the required Buffer expansion and show a portion of the building and parking lot located within the expanded Buffer. The Commission strongly opposes any filling of or development to nontidal wetlands within the expanded Buffer unless a Buffer Exemption Area Designation is approved by the Commission. The Commission is certainly willing to continue working with the Town and the project sponsor on the pending Buffer Exemption Area

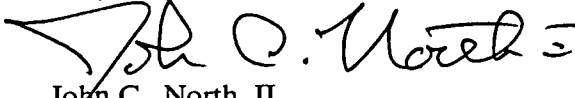
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Mr. John Hofmann
March 24, 1998
Page 2

designation. I have had conversations with several of the Chesapeake Beach Panel members regarding the effect of the mapping changes on the project, and I am confident that we can reach a mutually agreeable solution that complies with the Critical Area Criteria and the Town's Program.

The Chesapeake Beach Panel would like to meet with Town staff and the developer in the morning on April 1, 1998 before the regular Commission meeting to discuss these issues. Please contact Ms. Owens for the time and location of the meeting or if you have questions regarding the Commission's review of the project.

Very truly yours,



John C. North, II
Chairman

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410-820-5093 FAX



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EXECUTIVE DIRECTOR
410-974-2418/26
410-974-5338 FAX

EASTERN SHORE OFFICE
31 CREAMERY LANE
EASTON, MARYLAND 21601

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

March 2, 1998

Mr. Keith Roberts
President
Holly Neck Improvement, Inc.
1910 Marsh Road
Baltimore, Md 21221

Dear Mr. Roberts:

Senator Paul Sarbanes has asked me to respond to your letter to him of December 17, 1997.

Maryland's population is growing rapidly, and our waterfront neighborhoods are expanding to accommodate new residents eager to live close to the Chesapeake Bay. The Critical Area Act (1984) and its Criteria (1986) established land use policies to adapt to such growth while addressing the environmental impacts which result from the number, movement and activities of people in the Bay's sensitive shoreline areas. While development is limited, in the sense that it must conform to standards designed to achieve water quality and habitat objectives, it was never the intention of the Act to bar development within the Critical Area. A misconception that these limitations constitute total prohibitions leads some to believe that local governments are remiss in their administration of the local programs. This is often the case in limited development areas (LDAs) when residents begin to notice significant changes in existing development patterns.

An understanding of the Critical Area land use classification system is important. The initial categorization of an area of shoreline as an Intensely Developed Area (IDA), a Limited Development Area (LDA) or a Resource Conservation Area (RCA) was an exercise intended to describe and map the intensity of land use existing in an area on December 1, 1985. The designation determines which criteria apply to development activities within that area. It was not intended that development in an LDA, for example, would be limited to that already present but that such new development as might be undertaken would meet stringent measures intended to minimize its adverse impacts on water quality and on fish, wildlife and plant habitats. Indeed, it was foreseen that there would be infill development and even buildout if sewer and water service were extended to these areas. It is permissible for a County government to allow increases in density within the limits that define the land use classifications. The Critical Area Act also



Mr. Keith Roberts

Page Two

March 2, 1998

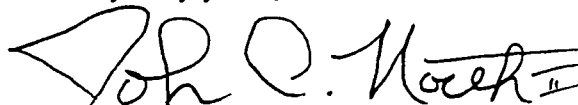
permits a County government to change the designation to allow even further intensification of use through a mechanism called growth allocation. I have attached a document which describes this policy.

The mapping and classification system that I have described also considered existing lots and parcels in its determination of classification. Some areas which might appear to the casual observer as pristine, untouched wilderness or as agricultural fields are, in fact, recorded in the County land and plat records as containing any number of legally buildable lots. While you and I might agree that the best and highest use of certain properties might be no use at all, we must also consider the interests of the owners of such properties and, to this end, allow some variance to the law so that they might enjoy some use of their properties. Constitutionally, the alternative to variances might well be compensation to the property owner, which raises the "who pays?" question.

Governor Glendening's new Smart Growth and Rural Legacy initiatives signal a desire and willingness to foot some of this bill when the consensus is that conservation and preservation of a common resource (e.g., Chesapeake Bay) outweigh private uses inimical to the long-term health of the resource. I note that some of you neighbors, in cooperation with the County and the Gunpowder Valley Conservancy, have taken the time and the effort to submit a detailed action plan for the County's coastline (including the Back River Neck) to the Rural Legacy Program for possible funding.

I urge you and your association's members to lend your support to this and other endeavors aimed at preserving the best of Maryland. Should you have more questions about the Critical Area Program, the Commission's Executive Director, Mr. Ren Serey (410-974-2426) will be pleased to respond.

Very truly yours,



John C. North, II
Chairman

JCN,II/rs/ml-pm
Enclosures: cited

cc: The Honorable Paul Sarbanes

A LOCAL GOVERNMENT'S USE OF GROWTH ALLOCATION

A local jurisdiction is authorized under the Critical Area Act to change a land use designation and allow development at a density or intensity which exceeds the limits of a site's original designation. A local government may use a portion of its growth allocation to change a designation from Resource Conservation Area to either Limited Development Area or Intensely Developed Area or to change a Limited Development Area to an Intensely Developed Area.

The following limitations apply to a local government's use of growth allocation:

- A jurisdiction's growth allocation reserve consists of the number of acres representing five percent of its Resource Conservation Area lands, minus Federal property and tidal wetlands.
- All Critical Area requirements relating to Habitat Protection Areas must be met regardless of the new land use designation.
- A local jurisdiction must follow certain guidelines when deciding to change a Critical Area designation through the use of growth allocation. These guidelines provide that new development should be located:
 - ✓ within or adjacent to existing developed areas;
 - ✓ in an area and in a manner that optimizes benefits to water quality;
 - ✓ at least 300 feet beyond the landward edge of tidal waters and tidal wetlands; and,
 - ✓ for new Intensely Developed Areas, that they are located where they minimize impacts to adjacent Resource Conservation Areas.
- When growth allocation is approved by a local jurisdiction, the Commission must approve the change in land use designation as an amendment to the local program. The Commission's standard for review is that an amendment must be consistent with the goals and Criteria of the Critical Area Program.

Each jurisdiction within the Critical Area implements its own local program. Through its oversight role, the Critical Area Commission ensures that the proper amount of growth allocation acreage is deducted from a jurisdiction's reserve and that Habitat Protection Areas are properly identified and protected. Locational decisions are the purview of the local jurisdiction.

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
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REN SEREY
EXECUTIVE DIRECTOR
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EASTERN SHORE OFFICE
31 CREAMERY LANE
EASTON, MARYLAND 21601

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

March 24, 1997

Robert T. Gonzales, Chairman
H. Vernon Eney Endowment Award Committee
Maryland Bar Foundation, Inc.
Maryland Bar Center
520 West Fayette Street
Baltimore, Maryland 21201

Re: The Honorable Robert F. Sweeney

Dear Mr. Gonzales:

Last year, I unsuccessfully placed in nomination the name of Chief Judge Robert F. Sweeney to receive the H. Vernon Eney Endowment Fund Award. The previous year Chief Judge Murphy made the same nomination.

I write now to place Chief Judge Sweeney's name in contention one more time.

I feel it unnecessary to re-state the bases upon which I offer this nomination for I am confident that your files are overflowing with all the accolades of the past two years. I feel constrained, however, to point out that since Chief Judge Sweeney has just retired from office that this would be a particularly propitious time for this history making jurist to receive the award which he so richly deserves.

Very truly yours,

A handwritten signature in cursive script that reads "John C. North, II".

John C. North, II

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410- 820-5093 FAX

REN SEREY
EXECUTIVE DIRECTOR
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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

March 20, 1996

Herschel Elkins, Esquire
Director Consumer Protection
Attorney General's Office
300 South Street
Fifth Floor
Los Angeles, California 90013

Re: "Professional Employer"
256 S. Robertson Blvd.
Suite 104-A
Beverly Hills, California 90211-2898

Dear Mr. Elkins:

We have been "taken", and I hope that you may be of assistance at least insofar as others may be concerned who might be similarly victimized in the future.

On December 3, 1995 we advertised in local (Maryland) publications for a "Natural Resources Planner" for the Chesapeake Bay Critical Area Commission, located in Annapolis, Maryland. A short time after these ads appeared our office received what appeared to be invoices from the "Professional Employer" of Beverly Hills for "Classified Advertising" for running our ad (taken verbatim from local papers) in the "Professional Employer" publication. An original "invoice" is enclosed for your inspection. Close examination will disclose that it contains the disclaimer, in small print, that "We have placed your classified advertisement in our publication. You have previously placed this advertisement in another publication. This is a solicitation for that advertisement." There is a second disclaimer in large, closely spaced yellow lettering near the bottom of the page. The lettering is very cleverly colored and printed so as to "be there" if a question should arise but otherwise is virtually invisible.

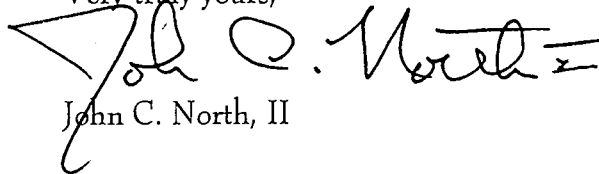
When this document arrived in our office it was routinely routed to the lady who serves as our fiscal officer. She saw the direction to "Make Check Payable To" and concluded that it was a legitimate bill and payment was accordingly made.

Herschel Elkins, Esquire
March 20, 1996
Page Two

Whoever originated this scam and its accompanying razzle-dazzle "billing" format was obviously a very shrewd and clever person.

I'm not at all sure what can be done here, but I would appreciate hearing from you.

Very truly yours,

A handwritten signature in cursive script that reads "John C. North, II". The signature is written in dark ink and is positioned above the printed name.

John C. North, II

JCN,II/pm
Attachment: cited

c:\wpdata\north\96\invoices.ltr

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410- 820-5093 FAX

REN SEREY
EXECUTIVE DIRECTOR
410-974-2418 /26
410-974-5338 FAX



WESTERN SHORE OFFICE
45 CALVERT ST., 2ND FLOOR
ANNAPOLIS, MARYLAND 21401

EASTERN SHORE OFFICE
31 CREAMERY LANE
EASTON, MARYLAND 21601

**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

March 19, 1996

The Honorable Joan Cadden
House of Delegates
213 House Office Building
Annapolis, Maryland 21401-1991

Dear Delegate Cadden:

I have received your letter requesting assistance regarding the information sent to your office from the community of Pinehurst on the Bay. Our office has received a subdivision request for review of Bodkin Point III. The site plan submitted to our office by the County did not show all the required information for a thorough review. Attached are our preliminary comments to the County based on the information submitted. When we receive a revised site plan, we will provide the County with further comments at that time. The County is the approving agency for all subdivisions. My staff has also received the same position paper from the Pinehurst on the Bay community and I have also attached that correspondence.

I hope that this information assists you in this matter, since it details our concerns and explains the framework from which a developer must work within in the Critical Area. Please do not hesitate to contact me or Ms. Regina Esslinger, the Commission's project review chief, if you have any further questions regarding this subdivision. We can be reached at (410) 974-2426.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II". The signature is stylized and includes a horizontal line at the end.

John C. North, II
Chairman

Attachments

cc: Ms. Regina Esslinger, Project Evaluation Chief
Ms. Lisa Hoerger, Staff Planner

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410-820-5093 FAX

SARAH J. TAYLOR, PhD.
EXECUTIVE DIRECTOR
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410-974-5338 FAX



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ANNAPOLIS, MARYLAND 21401

EASTERN SHORE OFFICE
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EASTON, MARYLAND 21601

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

March 23, 1995

The Honorable William Donald Schaefer
7184 Springhouse Lane
Baltimore MD 21226


Dear Governor,

The Commission plans to express its appreciation to several people who have played significant roles in forwarding the effort to save the Chesapeake Bay. You will find enclosed four Certificates of Appreciation that need a Governor's signature. As the recipients served at your pleasure, we feel it is appropriate that the signature be yours.

The certificates will be presented in a ceremony preceding the Commission's regular meeting on Wednesday, May 3 at the offices of the Department of Housing and Community Development in Crownsville. We hope that you will honor us with your presence.

Mark Laughlin, our public affairs officer, will be glad to lend you any assistance you may need. Please feel free to call him at (410) 974-2426.

Very truly yours,


John C. North, II
Chairman

JCN, II/ml
Enclosures: cited



JUDGE JOHN C. NORTH, II
CHAIRMAN
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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

March 21, 1995

Mr. Richard Alan Pelz
Maryland Aquaculture Advisory Committee
1190 Manor Drive
Mechanicsville, MD 20659

Dear Mr. Pelz:

This letter is to follow up on your recent correspondence to me regarding my letter dated March 7, 1995. Please be advised that it was not my intention to imply that your proposed changes to the current regulations were attempts to weaken the legislation. As you know, aquaculture is an activity that is encouraged in the Critical Area, and the Commission is interested in revisions to the Criteria that may promote aquaculture by eliminating vague and inconsistent language. On the other hand, all proposed changes must be carefully evaluated to be sure that they are consistent with the goals of the Critical Area Criteria.

With regard to the project that you had planned for St. Jerome's Creek in St. Mary's County, it is my understanding that you voluntarily withdrew your application after the project was generally supported by both the county planning staff and the Critical Area Commission staff. I am not aware of your reasons for this decision; however, it appears that the local government was attempting to work with you to resolve some outstanding zoning and environmental issues, so that the project could be approved by the Planning Commission.

It has always been the goal of the Critical Area Commission to allow local governments the flexibility to develop and implement their own local Critical Area Programs. The staff of the Critical Area Commission supports local governments by providing technical assistance in the areas of natural resource planning and management, site design, and environmental protection. From your description of your project and my knowledge of its history, I would strongly suggest that you continue working with the county planning staff in order to resolve the outstanding issues, so that you can proceed with this ambitious effort.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II". The signature is written in a cursive style with a horizontal line at the end.

John C. North, II
Chairman

March 24, 1995

Senator William H. Amoss
Vice Chairman, Senate Budget and Taxation Committee
100 James Office Building
Annapolis, Maryland 21401

Re: Visitors' Center at Sailwinds Park, Cambridge

Dear Senator Amoss:

I greatly appreciate your courtesy in receiving Dennis O'Brien, Frank Nar and me at your office last week to discuss the Sailwinds Park Visitors' Center.

I can well understand that a project of this fiscal magnitude would be subject to a great deal of close scrutiny. And certainly, it is conceded that the plans for this project substantially exceed in size what one would expect in a usual or typical visitors' center. However, as we explained to you, this project was intended and designed for several purposes beside affording the passing tourist a convenient "pit stop."

As I am sure you are aware, Cambridge, Dorchester County and other lower shore counties are severely economically depressed and disadvantaged. It was thought that a sizeable, strikingly designed visitors' building would encourage further growth in the immediate area, to the end that the entire waterfront would flourish with a sizeable hotel/marina/shopping complex. In other words, a scaled-down version of the Baltimore Inner Harbor concept.

A children's playground has already been established here, and plans are well advanced for the construction of a new YMCA near the site of the proposed Visitors' Center.

You may be aware that Dorchester County was once the center of considerable Indian activity. Senator Malkus and I had a discussion recently concerning his interest in providing for an Indian artifact display in the Visitors' Center. There are a number of artifact collections in the county which would readily lend themselves to public display and which would be both educational and entertaining. This is a particularly appealing idea and one which I am sure would have enormous public appeal.


Senator William H. Amoss
March 24, 1995
Page Two

A final point which should be made is that three years of planning and effort have already gone into this project together with hundreds of thousands of dollars expended on designs and engineering. If all of this work were now scrapped and an entirely new and smaller center planned, there would be an enormous waste incurred. The result, I suggest, would be a much smaller and less effective facility for virtually the same amount of money projected for the larger building.

For all of these reasons I urge your support of the original plans for Sailwinds Visitors' Center.

With kindest personal regards and best wishes.

Cordially,


John C. North, II
P.O. Box 479
Easton, Maryland 21601

JCN,II/pm

cc: Senator Barbara A. Hoffman
Senator Richard Colburn
Delegate Howard P. Rawlings
Delegate Norman H. Conway
Delegate Kenneth D. Schisler
Delegate Adelaide C. Eckardt
Delegate Don B. Hughes

JUDGE JOHN C. NORTH, II
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EASTON, MARYLAND 21601

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

March 3, 1995

VIA TELEFAX
410-974-3275

*His Excellency Parris N. Glendening
Governor
State House
Annapolis, Maryland 21401*

Re: (1) *Sailwinds Park,
Cambridge*
(2) *Chesapeake Bay
Maritime Museum,
St. Michaels*

Dear Governor:

Several months ago I became a member of the Board of Sailwinds Park, Cambridge. I can now say to you, as a result of personal knowlege, that this project enjoys the enthusiastic support of the Dorchester County community and will, I am confident, be a most important contribution to the economy and vitality of this genuinely depressed part of the State. You may be aware that nearly one hundred businesses and individuals have contributed \$1,000 each as "Founding Members" of Sailwinds. While the plans call for a visitors' center substantially larger and more elaborate than most other such centers, it must be realized that this is an effort to kill several birds, socially, economically and in the interest of public convenience. The location on the banks of the Choptank just off Route 50 will be accessible to enormous numbers of tourists en route to Ocean City, and the facility should enure substantially to the general benefit of the State. I encourage and urge your personal support of this project against any bugetary or other objection that may be voiced.

The Chesapeake Bay Maritime Museum at St. Michaels celebrates its 30th anniversary this year. I was active in the founding of the Museum and have the honor of serving as its President this year. The Museum has a particularly able young Director, John Valliant, whom you may recall meeting at the luncheon in Easton at the Chesapeake Bay Yacht Club. The museum endowment is now in excess of \$2,000,000, there is an employed staff of thirty and a very active volunteer organization of over two hundred members. The campus is now over

*His Excellency Parris N. Glendening
March 3, 1995
Page Two*

eighteen acres in size, with thousands of exhibits, a dozen or more floating historic vessels, an excellent professional curatorial staff, several new buildings and a particularly strong and active Board. When you are next in Talbot County I would appreciate an hour of your time to show you (and your family) around one of the very finest maritime museums on the East coast.

With kindest personal regards.

Cordially,



John C. North, II

JUDGE JOHN C. NORTH, II
CHAIRMAN
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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

March 3, 1995

*The Honorable William Donald Schaefer
7184 Springhouse Lane
Baltimore, Maryland 21226*

Dear Governor:

I am writing to express to you my sincere appreciation for the opportunity which you gave me in naming me as Chairman of the Critical Area Commission some five years ago. It is hard for me to believe that so much time has elapsed, and I am sure that it is even more difficult for you to realize that your eight years as Governor have passed by.

In any event, I thought I should drop you a line to express my gratitude for the confidence which you showed in me and for the opportunity of working for the betterment of our truly wonderful Bay. Your personal concern for and dedication to the Chesapeake have been a source of inspiration to all of us concerned with Maryland's most precious natural resource. You are entitled to a million thanks and more from the citizens of this state for your inspired leadership and wisdom from which the State profited immeasurably during your tenure as Governor.

With kindest personal regards and best wishes.

Cordially,

A handwritten signature in black ink, appearing to be "John C. North, II".

John C. North, II



Judge John C. North, II
Chairman



Ren Serey
Executive Director

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

45 Calvert Street, 2nd Floor, Annapolis, Maryland 21401
(410) 260-7516 Fax: (410) 974-5338

April 23, 1999

H. Michael Hickson, Esq.
St. Michaels Town Attorney
Banks, Nason & Hickson
113 Baptist Street
P.O. Box 44
Salisbury, Maryland 21803-0044

Re: St. Michaels Critical Area Program
Miles Point Project

Dear Mr. Hickson:

I am writing in regard to procedures set out in the St. Michaels Critical Area Program and specifically, how those procedures affect the proposed Miles Point development project. In your letter to Mr. Ren Serey concerning the project, you discuss provisions of the Town's program related to the use of growth allocation for Miles Point. You state that, based on your reading of the local growth allocation provisions, "it is incumbent upon the Chesapeake Bay Critical Area Commission to review and render its decision regarding the proposed development" in order for the Town Commissioners then to make a final decision. I view the situation differently.

As you know, when a local government chooses to use a portion of its growth allocation, such use, resulting in reclassification of land within the Critical Area, constitutes an amendment to the local Critical Area Program. I have sought guidance of counsel concerning the operation of the amendment provisions of the Town program. Assistant Attorney General Marianne Mason's memorandum to me on the subject is enclosed. Ms. Mason advises, and I concur, that the Critical Area Commission cannot consider the recommendation of the St. Michaels Planning Commission on the Miles Point project as a proposed amendment to the Town's Critical Area Program. Therefore, there is nothing for the Commission to decide at this time.

We have advised the Town of St. Michaels previously that the amendment provisions of its local Critical Area Program, particularly as these provisions relate to growth allocation, are not consistent with the Critical Area Act, Natural Resources Article Section 8-1809, Annotated


Branch Office: 31 Creamery Lane, Easton, MD 21601
(410) 822-9047 Fax: (410) 820-5093

H. Michael Hickson
April 21, 1999
Page 2

Code of Maryland. The Critical Area Act requires, as Ms. Mason points out, that local jurisdictions submit program amendments to the Critical Area Commission for approval. Only the Town Commissioners have the authority to operate as "the local jurisdiction" and officially submit amendments. We were pleased that the Planning Commission appeared to understand the need to adjust the amendment process and included new procedures in the updated Critical Area Program. The Planning Commission forwarded these new procedures to the Town Commissioners for approval. Unfortunately, the Town Commissioners have not yet acted on the revisions, and the Planning Commission thus has presented the Miles Point project to the Critical Area Commission under the old, incorrect procedures.

The Critical Area Commission will be unable to take up the matter of growth allocation for Miles Point until the Town Commissioners amend the growth allocation procedures and make a final, local approval of growth allocation for the site. The Commission staff and I are available, as always, to assist you in these matters in any way possible.

Very truly yours,



John C. North, II
Chairman

cc: Marianne D. Mason, Esq.
Ren Serey

OFFICE OF THE ATTORNEY GENERAL
for the
Department of Natural Resources
580 Taylor Avenue C-4
Annapolis, MD 21401
(410) 260-8351
(410) 260-8364 (Fax)

RECEIVED

APR 6 1999

MEMORANDUM

TO: ✓ Hon. John C. North, II
Ren Serey

FROM: Marianne Mason *Marianne Mason*

DATE: March 31, 1999

RE: Miles Point Growth Allocation

CHESAPEAKE BAY
CRITICAL AREA COMMISSION

You have asked for my advice about an issue raised by H. Michael Hickson, attorney for the Town of St. Michaels ("Town") in a March 8, 1999 letter to you. On behalf of the Town, Mr. Hickson has asked the Chesapeake Bay Critical Area Commission ("Commission") to "review and render its decision" on a proposed development project known as Miles Point ("Development"). For the reasons that follow, I believe that the Commission lacks authority under Code, Natural Resources Article §8-1809(h) to review or to vote upon this Development at this time.

BACKGROUND

The Miles Point Development project is a proposed mixed use residential and commercial project to be located on approximately 89 acres, mostly within the Town of St. Michaels. Eighty-seven acres of the proposed Development lies within the Chesapeake Bay Critical Area ("Critical Area"). All of the Critical Area land proposed for the Development is classified under the Town's Critical Area Program as RCA. The developer has requested growth allocation from the Town to reclassify the 87 acres as IDA, thereby allowing an increase in residential density to more than one dwelling unit per 20 acres.

The Town's Planning Commission ("Planning Commission") has reviewed the application ("Application") for growth allocation for the Development, and has voted to send a "nonfavorable

recommendation" on the application to the Town Commissioners. In essence, the Planning Commission has recommended to the Town Commissioners that the Application be denied. The Planning Commission then sent its recommended denial to the Critical Area Commission, pursuant to the following provisions of the Town's Critical Area program.

(e) The Planning Commission shall then hold a public hearing on all submissions....

(f) The Planning Commissioners will then make its [sic] final recommendation and forward the application to the Critical Area Commission for review and approval.

(g) Following approval of the application by the Critical Area Commission the Town Commissioners shall hold a public hearing on the proposed development projects....

St. Michaels' Zoning Ordinance §5, subsection 11, paragraphs 2(e) through (g).

The Planning Commission's recommendation, however, is "not a final, appealable, decision by the Planning Commission but is only a recommendation to the Town Commissioners." (Letter from H. Michael Hickson, attached) In Mr. Hickson's words, the Planning Commission's recommendation "does not constitute either an approval or a denial of the proposed development." Despite a negative recommendation from the Planning Commission, the Town Commissioners may, at a later date, grant the requested growth allocation and reclassify the Development's Critical Area land from RCA to IDA. Nonetheless, it is the Town's position that the Critical Area Commission should review and vote on the proposed Development now, before the Town Commissioners have approved or denied the requested growth allocation.

DISCUSSION

If the Town Commissioners ultimately approve the grant of growth allocation for the Development, the resulting change to the Critical Area map and to the Town's remaining growth allocation allotment would require a change, by way of amendment or refinement, of the Town's Critical Area program. Code, Natural Resources Article §§8-1808.1(b); 8-1809(g). Local Critical Area Programs may be amended only with the approval of the Critical Area Commission. Code, Natural Resources Article

§8-1809(i). The statute sets out very clearly the processes by which a local jurisdiction (in this case, the Town) may request Commission approval for changes to its local Critical Area program. First, the local jurisdiction may "propose any necessary amendments to its...program, including local zoning maps..." during the 4-year comprehensive review of the local program. Code, Natural Resources Article, §8-1809(g). Also, the local jurisdiction may propose "program amendments or refinements to its adopted program" as often as necessary but not more than 4 times per calendar year. Nat. Res. Art. §8-1809(h).

The process and the standards under which the Commission considers proposed program amendments were described by the Court of Special Appeals in *North v. Kent Island Limited Partnership*, 106 Md. App.92 (1995). The court observed that the statute, Nat. Res. Art. §8-1809(j) requires the Commission to approve programs and program amendments that meet "'the standards set forth in §8-1808(b)(1) through (3) of this subtitle; and the criteria adopted by the Commission under §8-1808 of this subtitle.'" 106 Md. App. at 105. See also, Code Nat. Res. Art. §8-1809(q) (providing that a local jurisdiction may combine "any or all proposed program amendments or program refinements required for specific project approval into a single request to the Commission for program amendment, program refinement, or both.") (emphasis added).

However, nothing in the statute or the Commission's criteria suggests that the Commission has a duty to act on a local government request that is not a "proposed program", a "proposed program amendment" or a "proposed program refinement." The request from the Town of St. Michaels is undoubtedly not a proposed program, program amendment, or program refinement. It is a preliminary recommendation (for denial of growth allocation) from the Town Planning Commission, which does not constitute the local jurisdiction's approval or rejection of the request. Indeed, the Town Planning Commission's recommendation does not propose any change to the St. Michaels' Critical Area program.

Until the local jurisdiction makes a decision that results in the need for a proposed amendment or proposed refinement to its Critical Area program, there is simply nothing for the Critical Area Commission to consider or to vote upon. Accordingly, my advice is to notify the Town Planning Commission that the Commission cannot consider the Development proposal at this time. When and if the local jurisdiction decides to take an action that would require a change (amendment or refinement) to

Memorandum to John C. North, II
Miles Point Growth Allocation
Page 4

its Critical Area program, then that proposed amendment or refinement should be submitted for the Commission's consideration.

If I may be of further assistance, please do not hesitate to call me. I trust that this memorandum, which is advice of counsel and not an Opinion of the Attorney General, has fully responded to your question.

cc: Joseph Gill
Mary Owens

NIF Pen

LAW OFFICES OF
BANKS, NASON & HICKSON
PROFESSIONAL ASSOCIATION
113 BAPTIST STREET
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SALISBURY, MARYLAND 21803-0044

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EDWARD G. DANKS, JR.
JOHN C. NASON
H. MICHAEL HICKSON

BUXTON R. BAILEY
SENIOR ASSOCIATE

March 8, 1999

Ren Serey
Executive Director
Chesapeake Bay Critical Area Commission
45 Calvert Street, Second Floor
Annapolis, Maryland 21401

RECEIVED

MAR 11 1999

Re: Miles Point Development
Town of St. Michaels

CHESAPEAKE BAY
CRITICAL AREA COMMISSION

Dear Mr. Serey:

Reference is made to the letter dated February 18, 1999 to Stephen DelSordo, St. Michaels Zoning Administrator, from Lisa Hoerger, Environmental Specialist, and my telephone conversation with you on March 8, 1999 concerning the above referenced matter.

As you recall, I am attorney for the Town of St. Michaels. The Findings And Recommendations of the St. Michaels Planning Commission that was sent to the Chesapeake Bay Critical Area Commission concerning the above referenced development is not a final, appealable, decision by the Planning Commission, but is only a recommendation to the Town Commissioners. Therefore, the final product of the St. Michaels Planning Commission does not constitute either an approval or a denial of the proposed development. A recommendation against the proposed development by the Planning Commission does not preclude the Town Commissioners from granting the requested growth allocation and reclassifying the critical area overlay zone from RCA to IDA.

Please refer to the St. Michaels Zoning Ordinance, Section 5 (Zone Regulations), Subsection 11 (Growth Allocation District - GA), Paragraph 2 (Procedure For Processing GA District Applications), Subparagraphs e, f and g, which states, in part, as follows:

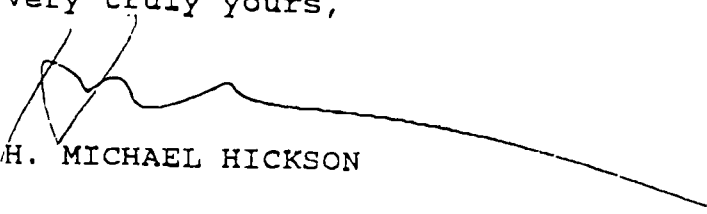
- "e) The Planning Commission shall then hold a public hearing on all submissions....
- "f) The Planning Commissioners will then make its final recommendation and forward the application to the Critical Area Commission for review and approval.

Ren Serey
Executive Director
Chesapeake Bay Critical Area Commission
March 8, 1999
Page 2

"g) Following approval of the application by the Critical Area Commission the Town Commissioners shall hold a public hearing on the proposed development projects...."

Based on my reading of the referenced provisions of the St. Michaels Zoning Ordinance, I believe that regardless of whether the Planning Commission has recommended for or against the proposed development, that it is incumbent upon the Chesapeake Bay Critical Area Commission to review and render its decision regarding the proposed development. Until that happens, I do not believe that the Town Commissioners can legally hold their public hearing on the proposed development project. I would be happy to discuss this matter with you or your counsel further. I will look forward to hearing from you.

Very truly yours,



H. MICHAEL HICKSON

HMH/pjh

cc: Cheril S. Thomas, Town Clerk/Manager

John C. North, II
Chairman



Ren Serey
Executive Director

**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

45 Calvert Street, 2nd Floor, Annapolis, Maryland 21401
(410) 974-2426 Fax: (410) 974-5338

April 22, 1998

Mr. Edgar A. Baker, Jr.
Wicomico County Attorney
P O Box 870
Salisbury, Maryland 21803-0870

Re: Ordinance 125-37

Dear Mr. Baker:

Thank you for your letter of March 30, 1998. It was unfortunate that you were not able to meet with us at the Critical Area Commission Meeting on April 1, 1998.

Wicomico County staff gave my staff the most current Wicomico County Critical Area Program document, including Chapter 125 of the Wicomico County Charter and Code. This document, which is the one used by the County staff, does not include an "or" between paragraphs C and D in Section 125.37. However, the original implementation ordinance document, of the same date as the staff-provided document, did include an "or" between paragraphs 3 and 4 of Chapter 125, Section 10.3. Please see the enclosed photocopies and note the discrepancy.

Notwithstanding the language of Section 125.37 discussed above, this situation has brought into focus a deficiency in the Wicomico County Critical Area Program. Specifically, the provisions of the County program allowing site-specific buffer variances under the standards of Section 125.37 appear to be inconsistent with the Critical Area law and criteria. These provisions appear to permit variances to the development prohibition within the Critical Area Buffer under standards more lenient than those contained in the State criteria.

Please be advised that the Commission will take up the issue of the site specific buffer variance provisions of the County program at its next meeting on May 6, 1998. The Commission has the authority, under the Annotated Code of Maryland, Natural Resources Article §8-1809 (l), to take steps to correct clear mistakes, omissions, or conflicts with the criteria or law in local Critical Area Programs. It would be helpful if you and County Critical Area staff would attend the meeting to participate in the discussion of these provisions. The meeting begins at 1:00 pm and directions to the meeting are enclosed.

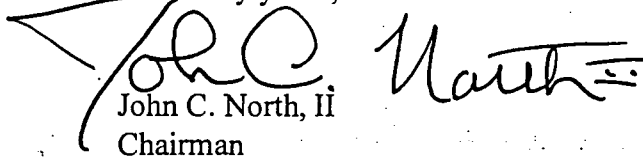
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(410) 822-9047 Fax: (410) 820-5093

Mr. Baker
April 22, 1998
Page Two

If we hear nothing further from you or if you cannot attend the meeting, please be advised that the Commission may formally vote to notify the County of the specific deficiency and request that the County submit a proposed program amendment or refinement to correct the deficiency. Local project approvals granted under the part of the program that the Commission has determined to be deficient, specifically site specific buffer variances, will be null and void after notice of the deficiency.

Commission staff is available to meet with the County prior to the scheduled Commission meeting if the County would like informally to discuss a solution to this problem. Please feel free to contact Ren Serey at (410) 974-2426 if you have any questions or would like to set up a meeting.

Very truly yours,


John C. North, II
Chairman

Enclosures

cc: Marianne D. Mason, Esquire
Mr. Rick Dwyer, Wicomico County Planner
Mr. Ren Serey, Executive Director
Ms. LeeAnne Chandler, Natural Resources Planner



Judge John C. North, II
Chairman

Ren Serey
Executive Director

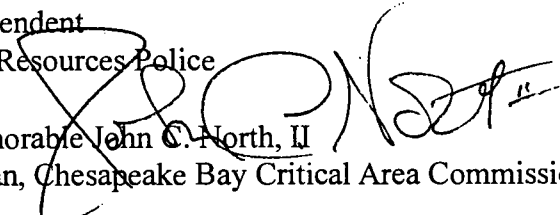
**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

45 Calvert Street, 2nd Floor, Annapolis, Maryland 21401
(410) 974-2426 Fax: (410) 974-5338

April 20, 1998

MEMORANDUM

TO: Colonel Rhoads
Superintendent
Natural Resources Police

FROM: 
The Honorable John C. North, II
Chairman, Chesapeake Bay Critical Area Commission

RE: Use of Maryland Independence

This is to officially request the use of the State Boat, Maryland Independence, on Thursday, September 10, 1998 for the express purpose of meeting with the 27 members of the Critical Area Commission. The Executive Director, Ren Serey, Chief of Program Implementation and Project Review, and other members of the Commission staff will be presenting an overview of the Critical Area Program to orient the new members to the Commission. The boat will provide the needed opportunity to see first hand the shoreline of the Critical Area.

We have been very fortunate in having this Boat use privilege extended to us in the immediate two previous years and we believe this experience has been instrumental in facilitating an understanding of the Critical Area Program as well as an appreciation for how the Program, applied properly, can help Save the Bay.

Thank you for your consideration of my request. If you should have any concerns or questions, please contact me directly. My Easton number is 410-822-9047 and the Annapolis number is 410-974-2418.

cc: Ren Serey, Executive Director

Branch Office: 31 Creamery Lane, Easton, MD 21601
(410) 822-9047 Fax: (410) 820-5093



Judge John C. North, II
Chairman

Ren Serey
Executive Director

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

45 Calvert Street, 2nd Floor, Annapolis, Maryland 21401
(410) 974-2426 Fax: (410) 974-5338

April 16, 1998

His Excellency Parris N. Glendening
Governor, State of Maryland
State House
Annapolis, Maryland 21401

Attention: JoAnn Trumble

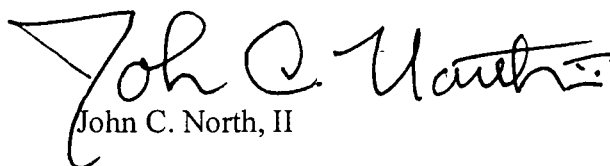
Dear Governor Glendening:

Every year the Chesapeake Bay Log Canoe fleet sails in the competition at the Miles River Yacht Club, St. Michael's for the Governor's Cup. This trophy was sponsored by Governor Albert Ritchie in 1927 and has been raced for each year since that time. The trophy itself is a particularly large and elaborate silver bowl and is recognized as perhaps the premier yachting trophy in the State of Maryland.

Virtually every Governor since 1927 has presented the trophy to the race winner on at least one occasion. The purpose of this letter is to invite you to make the presentation this year on the afternoon of Sunday, July 26 at approximately three o'clock. I do hope that your schedule is such that you can be in attendance. I know that your friends and supporters on the Eastern Shore would give you a warm welcome.

With kindest personal regards and best wishes.

Sincerely,


John C. North, II

JCN,II/pm

Branch Office: 31 Creamery Lane, Easton, MD 21601
(410) 822-9047 Fax: (410) 820-5093

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TTY FOR DEAF ANNAPOLIS-974-2609 D.C. METRO-586-0450



Judge John C. North, II
Chairman



Ren Serey
Executive Director

**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

45 Calvert Street, 2nd Floor, Annapolis, Maryland 21401
(410) 974-2426 Fax: (410) 974-5338

April 13, 1997

Dear Commission Member:

RE: Dorchester County Judicial Appeal /§ 8-1812(a) Notice

On March 18, 1998 we filed a Petition for Judicial Review stating our intent to appeal the variance granted to Eastern Shore Properties Limited Partnership.

I believe that the decision of the Dorchester County Board of Appeals improperly approved the applicants' request. The Eastern Shore Properties Limited Partnership applied for variance to permit the construction of a dwelling, septic treatment system, drinking well, and driveway within the 100-foot Buffer on a non-grandfathered lot. Commission staff provided written testimony for the Board's hearing in opposition to the proposed Buffer intrusion based on the five variance standards. The Board of Appeals approved the requested variance without adequately addressing the variance standards.

In accordance with Natural Resources Article, §8-1812, Annotated Code of Maryland, copy enclosed, if you disapprove of my action in this case, please notify me in writing within 35 days after the date of this notice. As provided in §8-1812, if 13 members of the Commission indicate disapproval of my action in a timely manner, I shall withdraw the action initiated. Please note the other procedural safeguards set forth in §8-1812.

Thank you for your anticipated cooperation. The full Commission file on this matter is available at the Commission office for your review. If you have questions or need additional information, please contact Mr. Greg Schaner at (410) 974-2426.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II". The signature is written in a cursive style with a large initial "J".

John C. North, II
Chairman

cc: Marianne D. Mason, Esquire

VGLS Branch Office: 31 Creamery Lane, Easton, MD 21601
DC File: Eastern Shore Properties Ltd. - DC 603(970) 822-9047 Fax: (410) 820-5093
c:\wpdata\dorchstr\project\1998\eshore2.wpd

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this ___ day of December 1997, I mailed a copy of this §8-1812(a) Notice via first class mail, postage prepaid, to each member of the Chesapeake Bay Critical Area Commission.


Shirley Bishop

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410-820-5093 FAX

SARAH J. TAYLOR, PhD.
EXECUTIVE DIRECTOR
410-974-2418/26
410-974-5338 FAX



WESTERN SHORE OFFICE
45 CALVERT ST., 2ND FLOOR
ANNAPOLIS, MARYLAND 21401

EASTERN SHORE OFFICE
31 CREAMERY LANE
EASTON, MARYLAND 21601

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

April 15, 1996

The Honorable Kenneth D. Schisler
415 Lowe House Building
House Office Building
Annapolis, MD 21401-1991

RE: Miles Haven Subdivision - Response to Inquiry

Dear Delegate Schisler:

I would like to respond to your inquiry of March 29, 1996 regarding the consistency of the proposed Miles Haven subdivision with the Critical Area law and regulations and with Talbot County's local planning requirements. From the information that was available to us at the time of our investigation into this matter, it appears that the proposed development is consistent with the density requirements of the Critical Area regulations and with the development design standards of Talbot County's Zoning Ordinance. In researching the response to your constituent's questions, we worked directly with Tracey Greene, Assistant Planning Officer of Talbot County's Office of Planning & Zoning.

The property in question includes 17-18 lots which were legally recorded in 1923. While the property owner originally planned to develop each lot, current plans are now to build six dwelling units on the property. The decision not to develop the 17-18 dwelling units appears to be directly related to the extremely small size of each individual lot, and the perceived difficulty each lot would have had in meeting Talbot County's building code. The property owner is able to establish sufficient acreage for each dwelling unit by building fewer houses and by combining the acreage of two to three contiguous lots for each dwelling unit. This will be accomplished by building the dwelling units across several of the old lot lines, effectively establishing six larger single lots. According to Section 19-10(w) of the Talbot County Zoning Ordinance, where a structure is constructed across the boundary line between two contiguous lots, and the adjoining lots are under common ownership, then the lots should be treated as one single lot for zoning purposes.

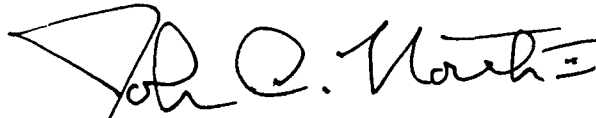
The property has been zoned by Talbot County for a Village Center District (VC) land use, which equates to the Chesapeake Bay Critical Area Program's Limited Development Area (LDA). The proposed density of this subdivision appears to be consistent with the required densities for both VC and LDA zoning. The planned development also appears to be consistent with the Commission's grandfathering provisions, which permit higher density development to occur within the Critical Area as long as each buildable lot was legally recorded prior to the

Delegate Kenneth Schisler
Page Two

passage of Talbot County's Critical Area Program on August 13, 1989. It should be noted that the grandfathered status of this particular development does not preclude the planned development from complying fully with the Commission's criteria for development in the LDA.

If you should need further information or clarification on this matter, please feel free to contact me anytime at (410) 974-2426.

Very truly yours,



John C. North, II
Chairman

JCN/gls/jjd

cc: Ms. Tracey L. Greene, Assistant Planning Officer, Talbot County P & Z
Mr. Ren Serey, Executive Director
Mr. Greg Schaner, Natural Resources Planner

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410-820-5093 FAX

REN SEREY
EXECUTIVE DIRECTOR
410-974-2418 /26
410-974-5338 FAX



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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

April 15, 1996

Mr. Robert P. Goodman
Office of Research
Maryland Department of Housing
and Community Development
100 Community Place
Crownsville, Maryland 21032

Dear Mr. Goodman:

Congratulations on your appointment to the Chesapeake Bay Critical Area Commission. You have joined a select group of citizens and government officials with a strong commitment to the protection and improvement of the Bay and its resources. The Commission members and staff join me in welcoming you.

The Commission meets on the first Wednesday of each month. Our next meeting will be held on May 1, 1996 in St. Michael's, Maryland at the Chesapeake Bay Maritime Museum, Propulsion Building. Directions are enclosed.

We will serve lunch at noon. The full Commission convenes at 1:00 p.m. I hope you will be able to attend and I look forward to seeing you in May.

Very truly yours,

A handwritten signature in dark ink, appearing to read "John C. North, II".

John C. North, II
Chairman

JCN,II/pm
Attachments: cited

JUDGE JOHN C. NORTH, II
CHAIRMAN
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REN SEREY
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**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

April 15, 1996

The Honorable Richard F. Colburn
Room 311 Senate Office building
Annapolis, Maryland 21401

Dear Senator Colburn:

I am writing in response to your letter concerning Mr. Maren Waterman's proposed amendment to the Chesapeake Bay Critical Area Act. He has asked that you consider amending the Act in regard to the standards local governments use in awarding growth allocation to property owners. Specifically, he proposes language which would designate a local government's use of growth allocation as a "change in the neighborhood" for purposes of rezoning.

The Commission cannot support Mr. Waterman's proposal and I believe that the local governments in the Critical Area would oppose it as well. Although all local Critical Area programs are based on the Act and Criteria, certain fundamental decisions by the jurisdictions are purely discretionary. One of the most important involves the use of growth allocation. Mr. Waterman's amendment could require the jurisdictions to intensify local zoning classifications whenever growth allocation is used.

Consider the following example: Most of the Resource Conservation Area (RCA) in Queen Anne's County is zoned Countryside (CS) and retains an underlying density of one dwelling per five acres. This was the allowable density when the Critical Area RCA limit of one dwelling per 20 acres became effective as an overlay zone. When the County grants the use of growth allocation in the CS zone, it intends that the site will be developed at one dwelling per five acres. This is the County's desired density and is consistent with its Comprehensive Plan. Under Mr. Waterman's proposal, if the County granted growth allocation to a parcel in the CS zone, the allowable density could rise suddenly, not to one dwelling per five acres, but to four dwellings per acre. This could be the result if a local government's use of growth allocation qualified for rezoning purposes as a change in the neighborhood.

Mr. Waterman is incorrect in stating that the Critical Area Act prevents a local government from using growth allocation to achieve these higher densities. The Queen Anne's County

The Honorable Richard F. Colburn
Page 2

Commissioners, through comprehensive rezoning, could alter the underlying zoning to allow for higher densities in the Critical Area when growth allocation is used. I think a decision of this magnitude, however, should remain the purview of elected officials, not individual property owners.

If you would like more information on this topic, or if you have questions, please contact me or Mr. Ren Serey, the Commission's Executive Director.

Very truly yours,

A handwritten signature in black ink, appearing to read "John C. North, II". The signature is stylized and written over a horizontal line.

John C. North, II
Chairman

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410-820-5093 FAX

REN SEREY
EXECUTIVE DIRECTOR
410-974-2418 /26
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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

April 1, 1996

Harry K. Wolpoff, Chairman
H. Vernon Eney Endowment Award Committee
Maryland Bar Foundation, Inc.
Maryland Bar Center
520 West Fayette Street
Baltimore, Maryland 21201

Re: Chief Judge Robert F. Sweeney

Dear Mr. Wolpoff:

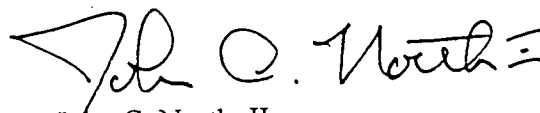
I write for the purpose of placing in nomination the name of Chief Judge Robert F. Sweeney for the H. Vernon Eney Endowment Fund Award.

As one of Judge Sweeney's original "Class of 1971" District Court Judges, it was my pleasure and privilege to become acquainted with him at a time when an entirely new court system was being brought to life. Those were particularly hectic days, but because of Judge Sweeney's extraordinary dedication and superlative organizational skills, the new court and its new judges were melded with minimal headache into an efficient and highly effective operation. His service to the State of Maryland over the last twenty-five years as Chief Judge of the District Court would alone, in my judgment, qualify him amply well for the Eney Award. This service, however, is but a single facet of a legal career of exceptional diversity: originator of the Housing Clinic in Baltimore in 1960, Deputy Attorney General of Maryland, four Supreme Court appearances, lecturer, author, and recipient of awards almost too numerous to calculate.

I enclose for your examination a brief curriculum for Judge Sweeney and excerpts of remarks made by Chief Judge Murphy in his last State of the Judiciary address before the Maryland Legislature.

I can think of no one more deserving of this honor and no time more appropriate than this year, the year of Chief Judge Sweeney's retirement.

Respectfully submitted,


John C. North, II

JCN,II/pm

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410-820-5093 FAX

SARAH J. TAYLOR, PhD.
EXECUTIVE DIRECTOR
410-974-2418/26
410-974-5338 FAX



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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

April 12, 1995

County Commissioners
Queen Anne's County
107 N Liberty Street
Centreville, Maryland 21617

Re: Waterman Mapping Mistake Amendment

Dear Sirs:

At its meeting on April 5, 1995, the Chesapeake Bay Critical Area Commission denied the County's proposed amendment referenced above. The amendment proposed to change, by virtue of mistake, the Critical Area designation of a portion of Mr. Waterman's parcel (Map 59, parcel 200) from Resource Conservation Area to Limited Development Area.

After presentations by Mr. Christopher Drummond, Mr. Mareen Waterman, and Commission staff, there was extensive discussion among the Critical Area Commission members. The standard for mistake as defined by the Court of Special Appeals in August Bellanca et ux. v. County Commissioners of Kent County, Maryland, 86 MD. App. 219 (1991); cert. denied 323 MD. 33 (1991) was presented by Commission staff and clarified by our Assistant Attorney general. The Critical Area Commission voted to deny the mapping mistake after determining that it did not meet the standard as defined by the Court.

Very truly yours

Handwritten signature of John C. North II in black ink, appearing as "John C. North II".
John C. North II
Chairman

JCN/jjd

cc: Ms. Christina Pompa
Mr. Mareen Waterman

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410-820-5093 FAX

SARAH J. TAYLOR, PhD.
EXECUTIVE DIRECTOR
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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

April 7, 1995

Ms. Joan Kean
Department of Technical and Community Services
Planning & Technical Services Division
11916 Somerset County Avenue, Room 102
Somerset County Office Complex
Princess Anne, Maryland 21853

Dear Ms. Kean:

At the March 5, 1995 meeting of the Chesapeake Bay Critical Area Commission, the Commission unanimously concurred with my determination that the granting of growth allocation for the Sidney K. Miller, et al. property be deemed a Program Refinement under the condition that the full amount of RCA area on the property be deducted.

This conditional approval of the Program Refinement requires that the County deduct the full 5.49 acres of RCA from growth allocation to change the designation to IDA. Deducting less than the full amount of RCA area of the parcel is inconsistent with both the County Critical Area Program and the Critical Area Commission's policy concerning growth allocation deduction. The County should notify the Commission in writing that deduction of the full 5.49 acres is acceptable and will be deducted. The County's Critical Area map should be updated to reflect this change.

Pursuant to Natural Resources Article 8-1809(o)(2), Annotated Code of Maryland, as amended, the County shall, within 120 days of receipt of this letter, incorporate the Program Refinement into its adopted Program.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II".

John C. North, II
Chairman

JCN/jjd

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410-820-5093 FAX

SARAH J. TAYLOR, PhD.
EXECUTIVE DIRECTOR
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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

April 25, 1995

John R. Griffin
Secretary, Maryland Department of Natural Resources
Tawes State Office Building
Annapolis, Maryland 21401

Re: Power Plant Research
Advisory Committee

Dear Mr. Secretary:

Thank you for your recent letter concerning the Power Plant Research Advisory Committee.

I have asked Ms. Pat Pudlekewicz of my staff to serve as the Critical Area Commission representative to this Committee. She will attend the May 9 meeting at the Holiday Inn on Riva Road and such future meetings as may be scheduled.

Sincerely,

A handwritten signature in cursive script that reads "John C. North, II".

John C. North, II
Chairman

JCN, II/pm

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
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SARAH J. TAYLOR, PhD.
EXECUTIVE DIRECTOR
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410-974-5338 FAX



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31 CREAMERY LANE
EASTON, MARYLAND 21601

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

April 10, 1995

The Honorable Carolyn C. Sorge
Number Three, Third Avenue
P O Box 339
Berterton, Maryland 21610

Dear Mayor Sorge:

Thank you for copying the Critical Area Commission on your letter to Mr. Earl Savino dated March 22, 1995. We look forward to learning of the Town's desired course of action with regard to the growth allocation granted to the Berterton Bay Club project. If the Town should decide to retract the growth allocation and return it to the Town's allotment for future use, please notify us and we will be able to process this as a Program refinement.

We appreciate you keeping us informed as to the progression of this project.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II".
John C. North, II
Chairman

JCN/jjd

cc: Ms. Mary Ann Skilling
Ms. Patricia Pudelkewicz

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410-820-5093 FAX



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REN SEREY
EXECUTIVE DIRECTOR
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410-974-5338 FAX

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

May 7, 1996

His Excellency Parris N. Glendening
Governor, State of Maryland
State House
Annapolis, Maryland 21401

Re: Wicomico County Circuit
Court vacancy

Dear Governor Glendening:

As I am sure you are aware, Judge Alfred T. Truitt, Jr. has announced his intention to retire from the Wicomico County Circuit Court in the near future.

I am writing on behalf of Sally D. Adkins, Esquire of Salisbury, who is interested in this position.

Attached is a photo copy of a letter of recommendation which I sent to Governor Schafer three years ago concerning a vacancy on the Court of Special Appeals. There is little more that I can add on Ms. Adkins' behalf except to say that I cannot imagine a person better qualified to fill Judge Truitt's shoes. Ms. Adkins has all the right attributes for a Circuit Court Judge. She is particularly intelligent, hard working, poised, sensible and truly learned in the law. I am absolutely certain that she would make an especially distinguished contribution to the Maryland judiciary.

With kindest personal regards and best wishes.

Respectfully,

A handwritten signature in black ink that reads "John C. North, II". The signature is written in a cursive style with a large initial "J".
John C. North, II

JCN,II/pm
Attachments: cited
cc: Ms. Adkins

ADKINS & ALLEN, LLP

ATTORNEYS AT LAW
207 DOWNTOWN PLAZA
P O BOX 980

SALISBURY, MARYLAND 21803-0980

(410) 860-2580

TELECOPIER (410) 860-2774

SALLY D. ADKINS
A. GREGG ALLEN
KALLA A. PRICE
KAREN S. PAYNE

DATE: 5/3
TIME: 3:

TO: Hon John C. North, II

ATTENTION: _____

TELEPHONE: _____

TELESCOPIER: 410 820-5093

NO. OF PAGES (including this cover page) 2

FROM: SALLY D. ADKINS

REMARKS

IMPORTANT Please call Kathy or us (410) 860-2580 if you do not receive the correct number of pages or if you are experiencing difficulty with receipt of telecopy.

THE INFORMATION IN THIS FACSIMILE TRANSMISSION IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU

ORIGINAL TO BE MAILED YES NO



WESTERN SHORE OFFICE
45 CALVERT ST., 2ND FLOOR
ANNAPOLIS, MARYLAND 21401

EASTERN SHORE OFFICE
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EATON, MARYLAND 21601

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410-822-8093 FAX

SARAH J. TAYLOR, PhD.
EXECUTIVE DIRECTOR
410-974-2418/28
410-974-5338 FAX

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

May 26, 1993

His Excellency William Donald Schaefer
Governor, State of Maryland
State House
Annapolis, Maryland 21401

Re: Court of Special Appeals
vacancy

Dear Governor Schaefer:

I write on behalf of Sally D. Adkins, Esquire of Salisbury, who is a candidate for the vacancy recently created on the Court of Special Appeals by the retirement of Judge Rosalyn B. Bell.

I have known Ms. Adkins for a number of years and had the pleasure of having her appear before me several times when I sat on the Circuit Court for Talbot County. Ms. Adkins was invariably exceptionally well prepared in her courtroom presentations. She knew the facts backward and forward, she knew the law backward and forward and she knew the background and philosophy upon which the law was founded. In addition, she presented her arguments with great clarity, strength and persuasiveness. In short, her performances were exceptional in every regard. She is obviously academically inclined by nature and has particular talent for research. I know of no one, man or woman, whom I could recommend to you more strongly or with greater faith in their ability to serve in this most important position not simply with competence but with great distinction.

With kindest best wishes and personal regards.

Respectfully,

John C. North, II
John C. North, II

cc: Ms. Adkins

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410-820-6093 FAX



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45 CALVERT ST., 2ND FLOOR
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31 CREAMERY LANE
EASTON, MARYLAND 21601

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

May 26, 1993

His Excellency William Donald Schaefer
Governor, State of Maryland
State House
Annapolis, Maryland 21401

Re: Court of Special Appeals
vacancy

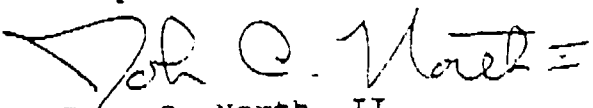
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With kindest best wishes and personal regards.

Respectfully,


John C. North, II

cc: Ms. Adkins

JUDGE JOHN C. NORTH, II
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**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

May 8, 1996

The Honorable Wayne K. Curry
Prince George's County Executive
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772

Dear Mr. Curry:

Ms. Victoria Greenfield has informed me that you have designated her as your official representative to the Chesapeake Bay Critical Area Commission. While Ms. Greenfield has been a strong supporter of the Critical Area Program for several years and has much to offer the Commission, please be aware that representatives are not permitted to vote in Commission proceedings and their appearance does not fulfill a member's attendance requirement. Section 8-1804 (c) (6) of the Critical Area Act requires members to attend at least 60% of the Commission's meetings during any period of 12 consecutive months. Article II of the Commission's By-Laws specifies that designees shall not have voting rights.

If you have questions or need additional information concerning the Commission's procedures, please contact me.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II". The signature is stylized and written in a cursive-like font.

John C. North, II
Chairman

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410-820-5093 FAX

REN SEREY
EXECUTIVE DIRECTOR
410-974-2418 /26
410-974-5338 FAX



WESTERN SHORE OFFICE
45 CALVERT ST., 2ND FLOOR
ANNAPOLIS, MARYLAND 21401

EASTERN SHORE OFFICE
31 CREAMERY LANE
EASTON, MARYLAND 21601

**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

May 22, 1996

Ms. Joan Kean
Department of Technical and
Community Services
425 N. Somerset Avenue
Princess Anne, Maryland 21853

Dear Ms. Kean:

A Comprehensive Review of a local jurisdiction's Critical Area Program is required by Law on the four-year anniversary date of the Program's local adoption. The second four-year anniversary of Somerset County's Critical Area Program adoption will occur on September 10, 1996. We realize that it has not been four years since you completed your last program review. In most cases, the first round of program reviews occurred some time after the anniversary date. In order to get back on track with the requirements in the Law, however, we would like to complete the second round of program reviews as close to the anniversary date as possible.

In many instances, a jurisdiction's first program review was a major endeavor. There were mistakes, omissions, and changes needed in order to make the program consistent with the Critical Area Law and criteria. Hopefully, due to the extensive nature of the first program review, the second will be a much less time consuming effort and a more streamlined process.

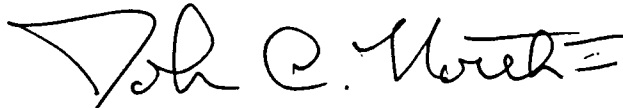
The requirements for the Comprehensive Program Review are presented in Natural Resources Article 8-1809(g): 1) a statement certifying that the required review has been accomplished; 2) any necessary requests for program amendments, program refinements, or other matters that the local jurisdiction wishes the Commission to consider; 3) an updated resource inventory; and 4) a statement quantifying acreages within each land classification, the growth allocation used, and the growth allocation remaining.

May 22, 1996
Page Two

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The Commission thanks you for your cooperation and support of the Program, and looks forward to working with you during the second Program review. Please contact Ms. Pat Pudelkewicz at (410) 974-2426 if you have any questions concerning the second round of the program reviews.

Very truly yours,

A handwritten signature in black ink, appearing to read "John C. North, II". The signature is stylized with a large initial "J" and a long horizontal line at the end.

John C. North, II
Chairman

JCN/PJP/jjd

cc: Mr. Mark Ashley

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410- 820-5093 FAX

REN SEREY
EXECUTIVE DIRECTOR
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**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

May 22, 1996

The Honorable Wayne Curry
Department of Environmental Resources
9400 Peppercorn Place, Suite 540
Largo, Maryland 20785

Dear Mr. Curry:

A Comprehensive Review of a local jurisdiction's Critical Area Program is required by Law on the four-year anniversary date of the Program's local adoption. The second four-year anniversary of Prince George's Critical Area Program adoption occurred on January 15, 1996. We realize that it has not been four years since you completed your last program review. In most cases, the first round of program reviews occurred some time after the anniversary date. In order to get back on track with the requirements in the Law, however, we would like to complete the second round of program reviews as close to the anniversary date as possible.

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May 22, 1996
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Very truly yours,

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John C. North, II
Chairman

JCN/PJP/jjd

cc: Ms. Vickie Greenfield
Ms. Robin Brown

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410-820-5093 FAX

REN SEREY
EXECUTIVE DIRECTOR
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31 CREAMERY LANE
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**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

May 22, 1996

Ms. Lillian Lord
Clerk Treasurer
P O Box 339
Oxford, Maryland 21654

Dear Ms. Lord:

A Comprehensive Review of a local jurisdiction's Critical Area Program is required by Law on the four-year anniversary date of the Program's local adoption. The second four-year anniversary of Town of Oxford's Critical Area Program adoption will occur on June 19, 1996. We realize that it has not been four years since you completed your last program review. In most cases, the first round of program reviews occurred some time after the anniversary date. In order to get back on track with the requirements in the Law, however, we would like to complete the second round of program reviews as close to the anniversary date as possible.

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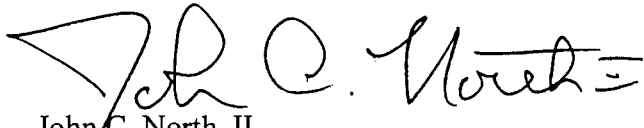
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May 22, 1996
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Very truly yours,



John C. North, II
Chairman

JCN/PJP/jjd

cc: Mr. Roby Hurley

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410-820-5093 FAX

REN SEREY
EXECUTIVE DIRECTOR
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EASTON, MARYLAND 21601

**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

May 22, 1996

Ms. Janet Gleisner
Planning and Zoning
220 S. Main Street
Bel Air, Maryland 21014

Dear Ms. Gleisner:

A Comprehensive Review of a local jurisdiction's Critical Area Program is required by Law on the four-year anniversary date of the Program's local adoption. The second four-year anniversary of Harford County's Critical Area Program adoption will occur on June 24, 1996. We realize that it has not been four years since you completed your last program review. In most cases, the first round of program reviews occurred some time after the anniversary date. In order to get back on track with the requirements in the Law, however, we would like to complete the second round of program reviews as close to the anniversary date as possible.

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May 22, 1996
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Very truly yours,

A handwritten signature in black ink, appearing to read "John C. North, II". The signature is stylized and written in a cursive-like font.

John C. North, II
Chairman

JCN/PJP/jjd

cc: Ms. Kit West

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410- 820-5093 FAX

REN SEREY
EXECUTIVE DIRECTOR
410-974-2418 /26
410-974-5338 FAX



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EASTERN SHORE OFFICE
31 CREAMERY LANE
EASTON, MARYLAND 21601

**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

May 22, 1996

Mr. Steve Dodd
Planning Director
County Office Building, P O Box 107
Cambridge, Maryland 21613

Dear Mr. Dodd:

A Comprehensive Review of a local jurisdiction's Critical Area Program is required by Law on the four-year anniversary date of the Program's local adoption. The second four-year anniversary of Dorchester County's Critical Area Program adoption will occur on September 2, 1996. We realize that it has not been four years since you completed your last program review. In most cases, the first round of program reviews occurred some time after the anniversary date. In order to get back on track with the requirements in the Law, however, we would like to complete the second round of program reviews as close to the anniversary date as possible.

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May 22, 1996
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The Commission thanks you for your cooperation and support of the Program, and looks forward to working with you during the second Program review. Please contact Ms. Pat Pudelkewicz at (410) 974-2426 if you have any questions concerning the second round of the program reviews.

Very truly yours,

A handwritten signature in black ink, appearing to read "John C. North, II". The signature is written in a cursive style with a horizontal line at the end.

John C. North, II
Chairman

JCN/PJP/jjd

cc: Ms. Houtman

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410- 820-5093 FAX

REN SEREY
EXECUTIVE DIRECTOR
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EASTON, MARYLAND 21601

**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

May 22, 1996

Mr. Al Wein
Office of Planning and Zoning
Room 300, Cecil County Courthouse
Elkton, Maryland 21921

Dear Mr. Wein:

A Comprehensive Review of a local jurisdiction's Critical Area Program is required by Law on the four-year anniversary date of the Program's local adoption. The second four-year anniversary of Cecil County's Critical Area Program adoption will occur on July 5, 1996. We realize that it has not been four years since you completed your last program review. In most cases, the first round of program reviews occurred some time after the anniversary date. In order to get back on track with the requirements in the Law, however, we would like to complete the second round of program reviews as close to the anniversary date as possible.

In many instances, a jurisdiction's first program review was a major endeavor. There were mistakes, omissions, and changes needed in order to make the program consistent with the Critical Area Law and criteria. Hopefully, due to the extensive nature of the first program review, the second will be a much less time consuming effort and a more streamlined process.

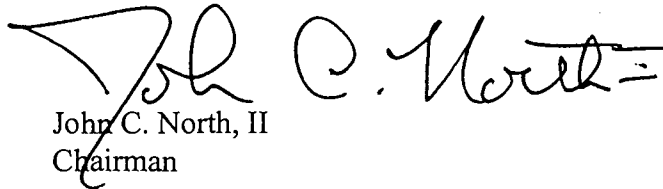
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May 22, 1996
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Very truly yours,



John C. North, II
Chairman

JCN/PJP/jjd

cc: Mr. Chris Rogers

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410- 820-5093 FAX



WESTERN SHORE OFFICE
45 CALVERT ST., 2ND FLOOR
ANNAPOLIS, MARYLAND 21401

REN SEREY
EXECUTIVE DIRECTOR
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410-974-5338 FAX

EASTERN SHORE OFFICE
31 CREAMERY LANE
EASTON, MARYLAND 21601

**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

May 22, 1996

Mr. Tom Andrews
Office of Planning and Zoning
2664 Riva Road
Annapolis, Maryland 21401

Dear Mr. Andrews:

A Comprehensive Review of a local jurisdiction's Critical Area Program is required by Law on the four-year anniversary date of the Program's local adoption. The second four-year anniversary of Anne Arundel County's Critical Area Program adoption will occur on September 10, 1996. We realize that it has not been four years since you completed your last program review. In most cases, the first round of program reviews occurred some time after the anniversary date. In order to get back on track with the requirements in the Law, however, we would like to complete the second round of program reviews as close to the anniversary date as possible.

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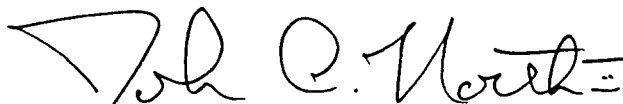
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May 22, 1996
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The Commission thanks you for your cooperation and support of the Program, and looks forward to working with you during the second Program review. Please contact Ms. Pat Pudelkewicz at (410) 974-2426 if you have any questions concerning the second round of the program reviews.

Very truly yours,

A handwritten signature in cursive script that reads "John C. North, II". The signature is written in dark ink and is positioned above the printed name and title.

John C. North, II
Chairman

JCN/PJP/jjd

cc: Ms. Elaine Peiffer

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410-820-5093 FAX

REN SEREY
EXECUTIVE DIRECTOR
410-974-2418 /26
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**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

May 22, 1996

Mr. George Perdikakis
Department of Environmental Protection
and Resource Management
County Courts Building, 401 Bosley Avenue
Suite 416
Towson, Maryland 21204

Dear Mr. Perdikakis:

A Comprehensive Review of a local jurisdiction's Critical Area Program is required by Law on the four-year anniversary date of the Program's local adoption. The second four-year anniversary of Baltimore County's Critical Area Program adoption will occur on June 13, 1996. We realize that it has not been four years since you completed your last program review. In most cases, the first round of program reviews occurred some time after the anniversary date. In order to get back on track with the requirements in the Law, however, we would like to complete the second round of program reviews as close to the anniversary date as possible.

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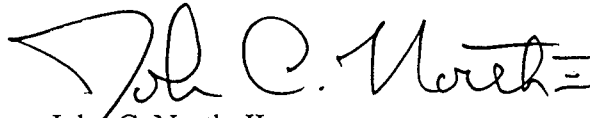
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May 22, 1996
Page Two

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The Commission thanks you for your cooperation and support of the Program, and looks forward to working with you during the second Program review. Please contact Ms. Pat Pudelkewicz at (410) 974-2426 if you have any questions concerning the second round of the program reviews.

Very truly yours,



John C. North, II
Chairman

JCN/PJP/jjd

cc: Ms. Farr

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410- 820-5093 FAX

REN SEREY
EXECUTIVE DIRECTOR
410-974-2418 /26
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31 CREAMERY LANE
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**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

May 22, 1996

Ms. Peg Ross
Department of Planning
417 E Fayette Street, 8th Floor
Baltimore, Maryland 21202

Dear Ms. Ross:

A Comprehensive Review of a local jurisdiction's Critical Area Program is required by Law on the four-year anniversary date of the Program's local adoption. The second four-year anniversary of Baltimore City's Critical Area Program adoption occurred on December 31, 1995. We realize that it has not been four years since you completed your last program review. In most cases, the first round of program reviews occurred some time after the anniversary date. In order to get back on track with the requirements in the Law, however, we would like to complete the second round of program reviews as close to the anniversary date as possible.

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John C. North, II
Chairman

JCN/PJP/jjd

cc: Mr. Rudaitis

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
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EXECUTIVE DIRECTOR
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**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

May 22, 1996

Ms. Gail Owens
Kent County Planning Commission
Courthouse
Chestertown, Maryland 21620

Dear Ms. Owens:

A Comprehensive Review of a local jurisdiction's Critical Area Program is required by Law on the four-year anniversary date of the Program's local adoption. The second four-year anniversary of Kent County's Critical Area Program adoption occurred on April 12, 1996. We realize that it has not been four years since you completed your last program review. In most cases, the first round of program reviews occurred some time after the anniversary date. In order to get back on track with the requirements in the Law, however, we would like to complete the second round of program reviews as close to the anniversary date as possible.

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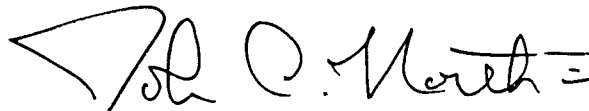
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Very truly yours,

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John C. North, II
Chairman

JCN/PJP/jjd

cc: Ms. Elinor Gawel

OFFICE OF THE ATTORNEY GENERAL
For The
Department of Natural Resources

Tawes State Office Building
580 Taylor Avenue
Annapolis, MD 21401
(410) 974-2251

May 9, 1996

MEMORANDUM

TO: John R. Griffin
Ronald N. Young
Assistant Secretaries
Unit Directors

FROM: Joseph P. Gill *JPG*
Principal Counsel

SUBJECT: Legal Services

This memo follows-up on our discussion at last month's "9:00 Group" meeting.

Effective Monday, May 13, the OAG will provide legal services as follows:

A. Attorney-Client Assignments

Attached is the department organizational chart along with attorney-client assignments. Eight FTE attorneys service 30 units and/or programs within the Department, not including litigation (see below).

Certain programs have more than one attorney because of workload requirements. The first attorney listed is your primary lawyer. For the best legal intervention, and to help us get your work done, call early.

Assistant Secretaries are not assigned specific attorneys; rather, unit/program attorneys will service their needs. I am also available as counsel, as needed.

B. Contract/Agreement Reviews

The Office reviews a large volume of contracts/agreements for legal sufficiency. Henceforth, please submit the following categories of legal documents directly to me for rotating assignment to attorneys:

Personal Services Contracts
Forest Conservation Management Act Agreements/Amendments
Buffer Incentive Program Agreements
Timber Sales

The Office will review and return these documents within seven (7) calendar days of receipt.

C. Litigation

Virtually all of your attorneys handle some type of litigation, including personal injury, civil rights, property forfeiture, real estate, LEOBOR, personnel, and zoning. Litigation also includes work for affiliated agencies and commissions, e.g., the Potomac Rivers Fisheries Commission. This work is in addition to providing client advice, negotiating transactions and writing/reviewing regulations.

Litigation is time-consuming. Because of this, it will be shared directly or indirectly by all attorneys, regardless of unit or program assignment.

D. Immediate Matters

Immediate legal needs, planned or unplanned, are handled at no extra charge. If you are unable to contact your assigned attorney, or if the question falls between the interstices of program life, or if you just don't know what to do and you think it may be a legal issue, the doors of the OAG are open, starting with me and Deputies Counsel Marianne Mason and Sharon Benzil.

E. Finale

Please distribute this memorandum to appropriate program personnel.

Thanks.

/jpg
Attachments

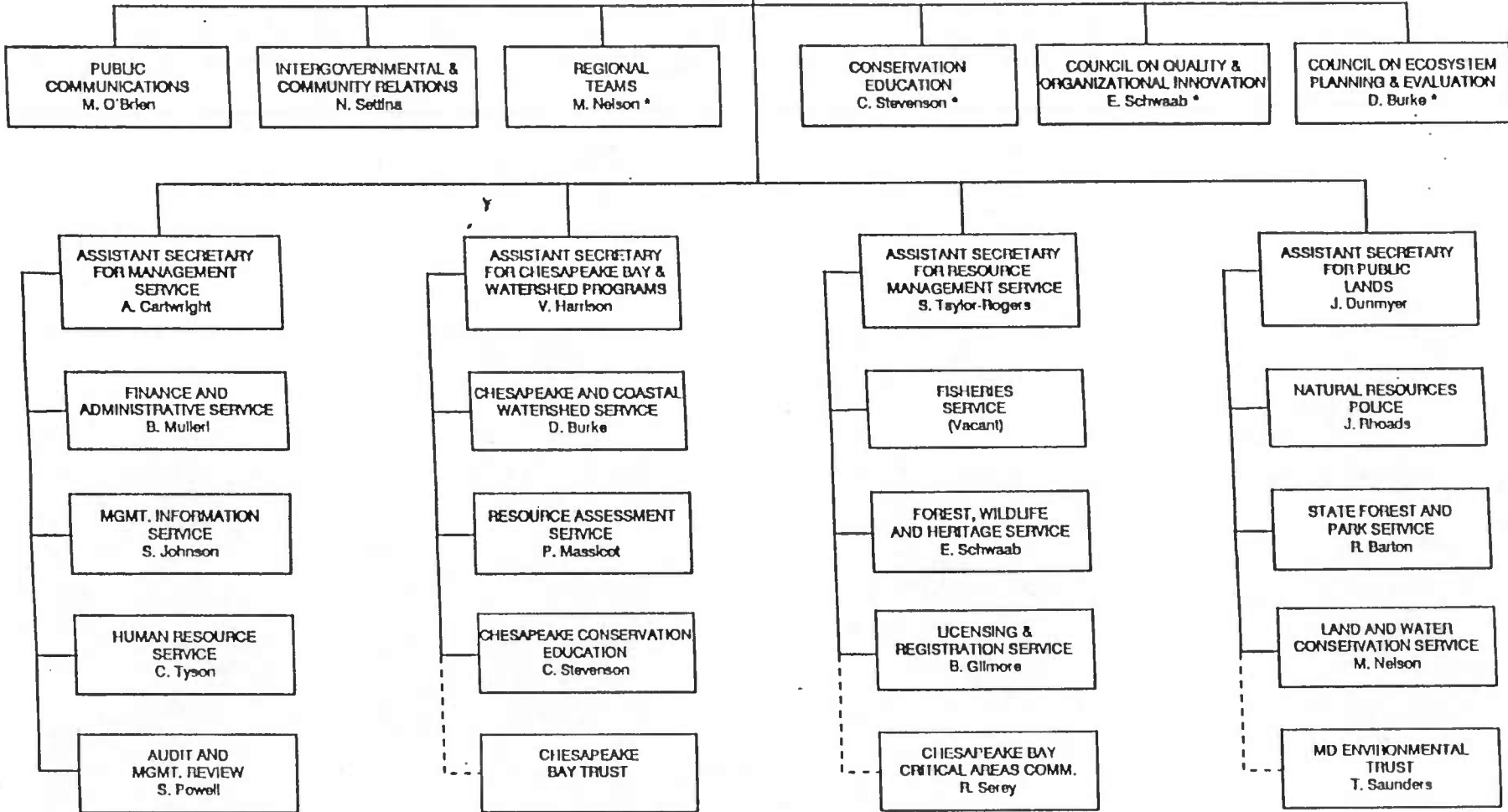
cc: Assistant Attorneys General

Department of Natural Resources
Organizational Chart

DEPUTY SECRETARY
R. Young

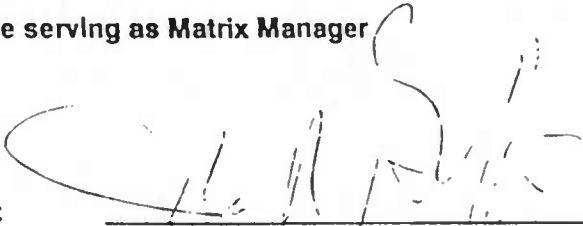
ATTORNEY GENERAL
J. Gill

January 1, 1996



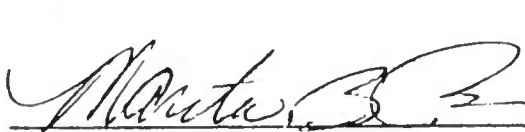
* Dual role serving as Matrix Manager

APPROVED:


John R. Griffin, Secretary
Department of Natural Resources

Date

12-13-95


Marita B. Brown, Secretary
Department of Budget & Fiscal Planning

Date

12/24/95

**Assistant Secretariat
Management Service**

Unit

Program

Attorney

Finance

“

“

Procurement

“

Jodi O'Day
Marianne Mason
S. Buppert

Management Information

Pam Quinn

Human Resources

Olga Bruning

Audit

Marianne Mason

**Assistant Secretariat
Chesapeake Bay & Watershed Programs**

<u>Unit</u>	<u>Program</u>	<u>Attorney</u>
Chesapeake/Coastal Watershed “	Coastal Zone	Pam Quinn Pam Quinn
Resource Assessment “	Geological Survey	Marianne Mason Olga Bruning
Chesapeake C. Education		Sharon Benzil
Chesapeake Bay Trust		Sharon Benzil

**Assistant Secretariat
Resource Management**

Unit

Program

Attorney

Fisheries
“

Pam Quinn
Skip Buppert

Forest, Heritage & Wildlife
“
“
“
“
“

Forest Service
Heritage & Nongame
”
Wildlife
”
Shore Erosion Control

Pam Quinn
Pam Andersen
Shaun Fenlon
Pam Andersen
Skip Buppert
“

Licensing and Registration

Skip Buppert

Critical Area Commission
“

Marianne Mason
Eileen Powers

Assistant Secretariat
Public Lands

<u>Unit</u>	<u>Program</u>	<u>Attorney</u>
Natural Resources Police		Sharon Benzil
“	LEOBOR	Olga Bruning
Forests & Parks		Eileen Powers
“	LEOBOR	Olga Bruning
“	Land/Property Mgt.	Shaun Fenlon
“	Title/Easement Issues	Pam Andersen
“	”	Shaun Fenlon
“	Wildlands/Scenic Rivers	Pam Andersen
“	Deep Creek Lake	Marianne Mason
“	Jennings Randolph Lake	Skip Buppert
“	WMAs	Jodi O'Day
Land & Water Conservation		Jodi O'Day
“	Program Open Space	“
”	Resource Planning	Pam Andersen
“	Cartography	Pam Andersen
Maryland Environmental Trust		Jodi O'Day
“		Shaun Fenlon
“		Pam Andersen

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410-820-5093 FAX



WESTERN SHORE OFFICE
45 CALVERT ST., 2ND FLOOR
ANNAPOLIS, MARYLAND 21401

SARAH J. TAYLOR, PhD.
EXECUTIVE DIRECTOR
410-974-2418/26
410-974-5338 FAX

EASTERN SHORE OFFICE
31 CREAMERY LANE
EASTON, MARYLAND 21601

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

May 30, 1995

The Honorable Steven G. Samuel Moxley
6100 Frederick Road
Catonsville, Maryland 21228

Dear Councilman Moxley :

Congratulations on your appointment to the Chesapeake Bay Critical Area Commission. You have joined a select group of citizens and government officials with a strong commitment to the protection and improvement of the Bay and its resources. The Commission members and staff join me in welcoming you.

The Commission meets on the first Wednesday of each month. Our next meeting will be held on **June 7th in Prince Georges's County at the National Colonial Farm in Accokeek**. Directions are enclosed.

We will serve lunch at noon. This will be a good time to meet your fellow Commission members and I hope you will be able to attend. **The full Commission convenes at 1:00 pm.**

If you will be unable to attend, please call the Commission office at (410) 974-2426.

Very truly yours,

A handwritten signature in black ink, appearing to read "John C. North, II".

John C. North, II
Chairman

Attachments

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410-820-5093 FAX



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SARAH J. TAYLOR, PhD.
EXECUTIVE DIRECTOR
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EASTERN SHORE OFFICE
31 CREAMERY LANE
EASTON, MARYLAND 21601

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

May 30, 1995

The Honorable Neal M. Janey
City Solicitor
City Hall
100 Holliday Street
Baltimore, Maryland 21202

Dear Mr. Janey:

Congratulations on your appointment to the Chesapeake Bay Critical Area Commission. You have joined a select group of citizens and government officials with a strong commitment to the protection and improvement of the Bay and its resources. The Commission members and staff join me in welcoming you.

The Commission meets on the first Wednesday of each month. Our next meeting will be held on **June 7th in Prince Georges's County at the National Colonial Farm in Accokeek**. Directions are enclosed.

We will serve lunch at noon. This will be a good time to meet your fellow Commission members and I hope you will be able to attend. **The full Commission convenes at 1:00 pm.**

If you will be unable to attend, please call the Commission office at (410) 974-2426.

Very truly yours,

A handwritten signature in dark ink that reads "John C. North, II". The signature is written in a cursive style with a horizontal line at the end.

John C. North, II
Chairman

Attachments

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
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EASTERN SHORE OFFICE
31 CREAMERY LANE
EASTON, MARYLAND 21601

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

May 30, 1995

The Honorable Wayne K. Curry
Prince George's County Executive
County Administration Building
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772

Dear Mr. Curry:

Congratulations on your appointment to the Chesapeake Bay Critical Area Commission. You have joined a select group of citizens and government officials with a strong commitment to the protection and improvement of the Bay and its resources. The Commission members and staff join me in welcoming you.

The Commission meets on the first Wednesday of each month. Our next meeting will be held on **June 7th in Prince Georges's County at the National Colonial Farm in Accokeek**. Directions are enclosed.

We will serve lunch at noon. This will be a good time to meet your fellow Commission members and I hope you will be able to attend. **The full Commission convenes at 1:00 pm.**

If you will be unable to attend, please call the Commission office at (410) 974-2426.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'John C. North, II'. The signature is stylized and written over a horizontal line.

John C. North, II
Chairman

Attachments

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410-820-5093 FAX



WESTERN SHORE OFFICE
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SARAH J. TAYLOR, PH.D.
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410-974-5338 FAX

EASTERN SHORE OFFICE
31 CREAMERY LANE
EASTON, MARYLAND 21601

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

May 23, 1995

Mrs. Joanna L. Garbisch
Vice President
Environmental Concern
P O Box P
St. Michaels, Maryland 21663

Dear Mrs. Garbisch:

Thank you for your letter concerning shore erosion control guidelines. I share your concern that shore erosion control not be used to achieve other purposes. It appears from the correspondence that Environmental Concern and Queen Anne's County agree on appropriate measures in the case you described. However, as you suggested, shore erosion consultants may differ in their approaches to shore erosion control.

The Critical Area Commission's Science Advisor, Claudia Jones, is currently working on a guidance paper on the Critical Area Buffer which will include a section on shore erosion control methods. Ms. Jones will be circulating a draft of the guidance paper to resource agencies and several consultants for review and comment. She has indicated to me that she is particularly interested in input from Environmental Concern because of the firm's expertise in this area.

Our intention is that the guidance paper, including the shore erosion control section, will provide standards that local jurisdictions can use to review projects. We anticipate that these standards will provide for a range of methods to control shore erosion and preserve a functioning Buffer. We also realize that some property owners and consultants may not understand the importance of providing nonstructural shore erosion control protection and the benefits of a properly vegetated Buffer.

Thank you for taking the time to express your concerns.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II".

John C. North, II
Chairman

JCN/jjd



MEMORANDUM

5/8

TO: *Ren / Teresa Corless*
FROM: Peggy
RE: Attached

✓ The attached correspondence is to the attention of the Chairman.
Please process as a priority and,
prepare reply for signature of Chairman;
advise whether response is necessary and/or disposition of
correspondence;
Your prompt attention and cooperation is very much appreciated.
Kindly route drafts and/or advice through me. Thank you.



DEPARTMENT OF PLANNING AND ZONING

QUEEN ANNE'S COUNTY

107 N. LIBERTY STREET
CENTREVILLE, MARYLAND 21617

410-758-4088 Permits
410-758-1255 Planning
410-758-2905 Fax

4 May 1995

RECEIVED

MAY 8 1995

CHESAPEAKE BAY
CRITICAL AREA COMMISSION

Ms. Joanna L. Garbisch
Environmental Concern, Inc.
P.O. Box P
St. Michaels, MD 21663

Dear Ms. Garbisch:

I am responding to correspondence dated 1 May 1995 sent by you to Jim Barton, the County Zoning Administrator, in reference to the Irving Goldstein property.

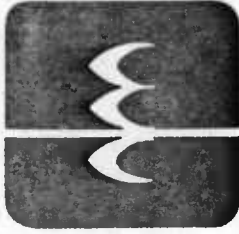
I am disappointed to learn that you fired letters off to Mr. Barton and the Critical Area Commission and have removed your company from this project without first contacting me to learn more about the meeting I proposed between property owner, agent, and County staff. Had you taken several moments to phone me you would have understood several key facts that had not yet been communicated to you, because, you were out of the country. Mainly, I had enlisted the help of Jeff Opel of the Soil Conservation Service for additional guidance on this project. Mr. Opel's expertise in shoreline stabilization and willingness to participate in this process support the position you had communicated in your memorandum dated 6 April 1995. I have never had any intention of allowing Mr. Goldstein's bank to be graded back to a 4:1 slope. Furthermore, it has never been the intent of the County to compromise its Critical Area program.

It is very common at the local level to propose an on-site meeting with all parties involved when a property owner is disgruntled. These meetings allow for education of the property owner and consensus building. It is the position of County staff that shoving environmental laws down people's throats without necessary education breeds the environmental backlash which is gaining momentum throughout this country and threatens to emasculate much of the environmental progress we have made. An on-site meeting is a kinder and gentler way of bringing someone around to a particular line of thinking.

Sincerely,

Christina Pompa
Environmental Planner

cc: James Barton, Zoning Administrator
Steven Kaii-Ziegler, Director of Planning and Zoning
Judge John North, Critical Area Commission Chairman



ENVIRONMENTAL
CONCERN

RECEIVED

MAY 3 1995

QUEEN ANNE'S CO.
PLANNING & ZONING

1 May 1995

James Barton
Zoning Administrator
Department of Planning & Zoning
107 N. Liberty St.
Centreville, MD 21617

RE: Critical Areas Regulations
Irving Goldstein Property, Wyemoor Court

Dear Mr. Barton:

Recently I have been in contact with Christina Pompa regarding the above referenced property prior to submitting a Sediment Erosion Control Plan for Queen Anne County. Our landscape architect, Deborah Herr, and myself have met with Christina on the site and have had follow up correspondence with her. As you may be aware our client Irving Goldstein wishes to remove about 35-40 trees along the top of bank, many of which are severely undercut, and grade back a distance of 30-35ft in order to achieve a 4:1 slope of the upper bank.

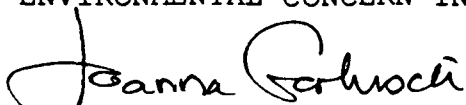
Christina asked what was the minimum amount of tree removal and bank grading that was necessary to achieve shoreline stabilization (see copy of attached memo). She then wrote us a letter saying that under Q.A. County Critical Area Regulations, all that would be allowed was what was stated in our memo of 6 April 1995. Our recommendation based on 23 years experience and published documentation was not looked on favorably by our client. Christina now wants to set up a site meeting with us and the client to see if a compromise can be reached since our client says he will go to another contractor. This is where we feel a real problem with the regulations as written will develop because she says that if someone else tells her the grading and tree removal has to be done regardless of experience or documentation, she can not withhold approval. In fact we have found in several situations grading of the bank can add to further destabilization of the slope during periods of storm events even with silt fence or straw bales in place.

We are removing ourselves from this project for several reasons but it seems that the whole purpose of the critical areas legislation is being compromised if you have regulations that cannot

James Barton
1 May 1995
Page Two

be enforced. We are bringing this matter to your attention as well as to the State Critical Areas Commission in hopes that the intent of the law can be carried out. If we are not understanding correctly what we have been told could you please give us further clarification. We feel that the purpose of the law, to protect the Chesapeake Bay watershed, is being severely undermined if another opinion without documentation is given equal weight in a decision.

Sincerely,
ENVIRONMENTAL CONCERN INC.


Joanna L. Garbisch

cc: John North, Chairman CAC
Acting Director, CAC
Christina Pompa



ENVIRONMENTAL
CONCERN



DEPARTMENT OF PLANNING AND ZONING
QUEEN ANNE'S COUNTY
107 N. LIBERTY STREET
CENTREVILLE, MARYLAND 21617

410-758-4088 Permits
410-758-1255 Planning
410-758-2905 Fax

10 April 1995

Ms. Deborah S. Herr
Environmental Concern, Inc.
P.O. Box P
St. Michaels, MD 21663

Re: Irving Goldstein Property, Wyemoor Court

Dear Ms. Herr:

You had inquired about Queen Anne's County laws as they relate to construction of shore erosion control devices and bank grading. The Army Corps of Engineers and the Maryland Department of Natural Resources regulate waters of the United States up to the Mean High Water Line. The 1000 foot strip of land adjacent to tidal waters and tidal wetlands is known as the Critical Area and is regulated by the County through implementation of the Queen Anne's County Critical Area Program and Ordinance.

The bank grading Mr. Goldstein wishes to complete is regulated by the County Critical Area Program. Grading the bank to a 4:1 slope would impact approximately 40 feet of the 100 foot Critical Area Buffer. §2002.8 of the County Critical Area Ordinance defines the Buffer as, "[a] naturally vegetated area or vegetated area established or managed to protect aquatic, wetland shoreline, and terrestrial environments for man-made disturbances. In the Critical Area District, the minimum Buffer is a contiguous area located immediately landward of tidal waters (measured from the Mean High Water Line), tributary streams in the Critical Area, and tidal wetlands and has a minimum width of 100 feet."

Tree clearing and earth moving within the Buffer is severely limited so as to maintain habitat and water quality benefits. Grading and tree clearing is restricted to the minimum necessary to construct a shore erosion protection device. §6000.B.3.c of the County Critical Area Ordinance states that, "[c]utting of trees or removal of natural vegetation may be permitted where necessary to provide access to private piers, or to install or construct a shore erosion protection device or measure, or a water-dependent facility, providing the device, measure, or facility, has received all necessary State and federal permits." A memorandum from Garbisch and Garbisch dated April 6, 1995 reveals that only those trees at the bank edge which are leaning or may fall need to be removed. The County supports the removal of trees which threaten to fall and expedite shore erosion. Furthermore, the memorandum states that grading is only necessary for north facing banks to ensure that six hours of direct sunlight reach the newly created marsh on a daily basis or when groundwater seepage is a problem. Since the subject property is not north facing and groundwater seepage has not been determined to be a problem at this time, the County will

Herr Letter
page 2
10 April 1995

not authorize the 4:1 grading and tree removal. I would like to point out that even if the Army Corps of Engineers and MD Department of Natural Resources permits show a 4:1 slope as part of this project, that it is the County and not the State and federal governments which regulate areas landward of the Mean High Water Line.

Previous to writing this response I spoke with Christopher F. Drummond, attorney to the Planning Commission. He confirmed this determination, verbally, however, a written legal determination may be provided if requested.

The only potential relief from these regulations is the granting of a variance by the Queen Anne's County Board of Appeals. For more information about the Board of Appeals process contact Cathy Maxwell, Clerk to the Board of Appeals at (410) 758-1255.

Should you have further questions, please contact me at (410) 758-1255.

Sincerely,



Christina Pompa
Environmental Planner

cc: James Barton, Zoning Administrator
Christopher F. Drummond, attorney to the Planning Commission

MEMORANDUM

TO: Whomever may be concerned

FROM: Edgar W. Garbisch and Joanna L. Garbisch

REGARDING: Tree/shrub removal/pruning and/or upland bank sloping for the control of upland bank erosion through tidal marsh construction on restored shores.

DATE: April 6, 1995

As discussed by Garbisch and Garbisch (1994a, b), the principal reason for tree removal/pruning and/or upland bank sloping is to provide at least 6 hours of direct sunlight daily during the growing season along the toe of bank and channelward for the width of the tidal marsh. If this light is not provided, marsh productivity/density will decline and jeopardize the stability of the restored shore.

Extensive tree clearing and/or bank sloping is only necessary to achieve the aforementioned objective for high banks (> 6 ft) that are facing North. Otherwise, the removal of severely leaning trees at the bankedge or trees that will imminently fall onto the shore, together with their associated soil masses, generally will be necessary. In general, the vast majority (i.e., > 90%) of bankedge trees and shrubs are retained in the recommended clearing (Garbisch and Garbisch 1994c).

Often for aesthetic reasons and to provide protection during extreme high tide events, the property owner may wish to grade the upland bank down to the restored shore. However, it should be emphasized that the design standard for the restored shores is to exclude high tides from interacting with the bank face for up to 6 - 17 years of high tide events in the mid-Chesapeake Bay (Garbisch and Garbisch 1994a). Further protection against such events is provided by the marsh vegetation, once it is well established (Ca. one year).

Another possible and justifiable reason for grading the upper bank is when groundwater seepage from this part of the bank is leading to its instability. In such instances, upper bank undercutting results and its eventual collapse onto the marsh below would jeopardize the viability of the marsh.

When an upland bank is graded down to the restored shore, it has been recommended (Garbisch and Garbisch 1994a) that the graded slope should be no steeper than 4:1 so that the sloped bank will be relatively stable towards storm tide events.

REFERENCES

Garbisch, E.W. and J.L. Garbisch. 1994a. The control of upland bank erosion through tidal marsh construction on restored shores: application in the Maryland portion of the Chesapeake Bay. *Env. Manag.* 18(5): 677-691.

Garbisch, Edgar and Joanna Garbisch. 1994b. The effects of forests along eroding shoreline banks of the Chesapeake Bay. *Wetland Journal* 6 (1): 18-19.

Garbisch, E.W. and J.L. Garbisch. 1994c. Clarification of Garbisch and Garbisch: the author responds. *Wetland Journal* 6 (3): 17-18.



DEPARTMENT OF PLANNING AND ZONING

OF QUEEN ANNE'S COUNTY

107 N. LIBERTY STREET

CENTREVILLE, MARYLAND 21617

05/04/95 2013 EASTON MD P&ZF 216



U.S. POSTAGE

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METER 437063

Judge John North
Chairman
Critical Area Commission
45 Calvert Street, 2nd floor
Annapolis, MD 21401



JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410-820-5093 FAX

SARAH J. TAYLOR, PhD.
EXECUTIVE DIRECTOR
410-974-2418/26
410-974-5338 FAX



WESTERN SHORE OFFICE
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ANNAPOLIS, MARYLAND 21401

EASTERN SHORE OFFICE
31 CREAMERY LANE
EASTON, MARYLAND 21601

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

May 8, 1995

Ms. Michelle Rozner
Deputy Chief of Staff
Office of the Governor
Room 216
State House
Annapolis MD 21401

Dear Ms. Rozner,

Please find attached three nominations for Governor's Citations. The gentlemen nominated are known to the Governor and, as long-serving members of the Commission, each has made a significant contribution to Maryland's efforts to restore the Chesapeake Bay. The Commission plans to award the citations to Mssr.s Bostian, Bowling and Krech at its regular plenary session on Wednesday, June 7, 1995.

I should appreciate your prompt attention to this matter and I thank you for your cooperation. Should you have any questions regarding these nominations, please contact Mark Laughlin at 974-2426.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II".

John C. North, II
Chairman

enc/as mentioned

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410-820-5093 FAX



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EASTERN SHORE OFFICE
31 CREAMERY LANE
EASTON, MARYLAND 21601

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

May 5, 1995

The Honorable Roy Dyson
James State Office Building
Annapolis, MD 21401

Dear Senator Dyson:

I am writing in response to your questions concerning the Critical Area status of the Myrtle Point property in St. Mary's County. You have asked specifically about the relation of local underlying zoning to the application of Critical Area regulations on the site. I can provide you with the following information:

1. Approximately 211 acres of the Myrtle Point site are within the Chesapeake Bay Critical Area.
2. The St. Mary's County Commissioners rezoned the site in November, 1983 from R-1 (Residential, one dwelling unit per acre) to PDR 2.83 (Planned Development Unit, 2.83 dwelling units per acre).
3. The Critical Area land classification, which operates in an overlay fashion to the County's zoning, is Resource Conservation Area (RCA, maximum one dwelling unit per 20 acres).
4. The County's underlying PDR density, 2.83 dwelling units per acre, is grandfathered conditionally in the approved St. Mary's County Critical Area Program.
5. In order to maintain the grandfathered density, an owner must satisfy, or have satisfied by certain dates:
 - * all conditions imposed by the County Commissioners in the 1983 Resolution of Rezoning; and,
 - * all requirements of the County's Critical Area Program, except RCA density.

Senator Dyson
Page 2

6. If the County determines that all conditions of the rezoning were not satisfied, the property would be subject to the Critical Area overlay density limits of one dwelling unit per 20 acres, regardless of the underlying local zoning designation. In such event, the property could be developed at a higher density only through use of the County's Critical Area growth allocation.

The Critical Area Commission conducted no independent analysis regarding the conditions of rezoning when it approved the County's Program in 1990. To have done so, or to undertake such an investigation now would involve considerable resources. The Commission has relied instead on County enforcement of County requirements, and has assumed, I think properly, a role of general oversight.

Pursuant to your letter, we contacted Mr. Jon Grimm, Director of the St. Mary's County Department of Planning and Zoning. Mr. Grimm's position is that the County zoning classification, and therefore the Critical Area grandfathering status remain valid. He said, however, that if the County Commissioners make a finding to the contrary, the PDR density would revert to the Critical Area overlay maximum.

Based on existing information, I do not believe that further inquiry is warranted. However, if you would like to discuss the issues or need additional information, please contact me or Mr. Ren Serey at (410) 974-2426.

Very truly yours,



John C. North, II
Chairman

cc: Mr. Jon Grimm
Mr. Ren Serey

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410-820-5093 FAX



WESTERN SHORE OFFICE
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EXECUTIVE DIRECTOR
410-974-2418/26
410-974-5338 FAX

EASTERN SHORE OFFICE
31 CREAMERY LANE
EASTON, MARYLAND 21601

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

May 11, 1995

Mr. Donald VanHassent
Supervisor, Forest Stewardship
Maryland Department of Natural Resources
Forest Service
Tawes State Office Building, E-1
Annapolis, Maryland 21401

Dear Mr. VanHassent:

As you know, the Critical Area Commission voted on the General Approval for Timber Harvest and Forest Stewardship Plans at their last meeting on May 3, 1995. The approval of the documents was unanimous. I know that the document was a long time in development, but I believe that the final product was worth the wait. I appreciate your efforts in getting us to this point.

I have signed and attached all the copies that you provided of the General Approval. I understand that after Secretary Griffin signs them, one copy of each document will be returned for our files. Thank you again.

Very truly yours,

A handwritten signature in cursive script that reads "John C. North, II".

John C. North, II
Chairman

JCN/jjd

Judge John C. North, II
Chairman



Ren Serey
Executive Director

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

45 Calvert Street, 2nd Floor, Annapolis, Maryland 21401
(410) 974-2426 Fax: (410) 974-5338

June 22, 1998

Mr. William Castlebery
Department of Business and Economic Development
217 E. Redwood Street
Baltimore, Maryland 21401

Dear Mr. Castleberry:

As you know, Section 8-1804 (c) (6) of the Critical Area Act specifies that members of the Chesapeake Bay Critical Area Commission are required to attend 60% of the Commission's meetings during any period of 12 consecutive months. We report attendance to the Governor's office on a calendar-year basis and we reached the mid-year point following the meeting in Cecil County on June 3rd.

In a year when all of the regularly-scheduled monthly meetings are held, a member must attend seven meetings to satisfy the attendance requirement. Our records indicate that you have attended two of the first six meetings of 1998, which would require that you attend five of the remaining six meetings to remain within the statutory attendance limit.

I certainly understand that there are times when prior commitments or unexpected situations arise which prevent a member's attendance. However, I am sure you agree that the quality of the Commission's deliberations and decisions is enhanced when we have a full complement of members in attendance. I do hope that you will be able to join us as much as possible during the remainder of the year. As always, please feel free to call me if I can be of any assistance.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II". The signature is stylized and written in a cursive-like font.

John C. North, II
Chairman

Branch Office: 31 Creamery Lane, Easton, MD 21601
(410) 822-9047 Fax: (410) 820-5093

TTY FOR DEAF ANNAPOLIS-974-2609 D.C. METRO-586-0450

Judge John C. North, II
Chairman



Ren Serey
Executive Director

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

45 Calvert Street, 2nd Floor, Annapolis, Maryland 21401
(410) 974-2426 Fax: (410) 974-5338

June 22, 1998

Ms. Jinhee Kim Wilde
Arendt, Fox, Kintner, Plotkin and Kahn
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036-5339

Dear Ms. Wilde:

As you know, Section 8-1804 (c) (6) of the Critical Area Act specifies that members of the Chesapeake Bay Critical Area Commission are required to attend 60% of the Commission's meetings during any period of 12 consecutive months. We report attendance to the Governor's office on a calendar-year basis and we reached the mid-year point following the meeting in Cecil County on June 3rd.

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Very truly yours,

A handwritten signature in black ink that reads "John C. North, II". The signature is written in a cursive style with a small smiley face at the end.

John C. North, II
Chairman

Branch Office: 31 Creamery Lane, Easton, MD 21601
(410) 822-9047 Fax: (410) 820-5093

Judge John C. North, II
Chairman



Executive Director

**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

45 Calvert Street, 2nd Floor, Annapolis, Maryland 21401
(410) 974-2426 Fax: (410) 974-5338

June 22, 1998

Mr. Andrew Myers
10161 River Landing Road
Denton, Maryland 21629

Dear Mr. Myers:

As you know, Section 8-1804 (c) (6) of the Critical Area Act specifies that members of the Chesapeake Bay Critical Area Commission are required to attend 60% of the Commission's meetings during any period of 12 consecutive months. We report attendance to the Governor's office on a calendar-year basis and we reached the mid-year point following the meeting in Cecil County on June 3rd.

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Very truly yours,

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John C. North, II
Chairman

Judge John C. North, II
Chairman



Ren Serey
Executive Director

**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

45 Calvert Street, 2nd Floor, Annapolis, Maryland 21401

(410) 974-2426

Fax: (410) 974-5338

June 22, 1998

Mr. Charles C. Graves, III
Director of Planning
417 E. Fayette Street
8th Floor
Baltimore, Maryland 21209

Dear Mr. Graves:

As you know, Section 8-1804 (c) (6) of the Critical Area Act specifies that members of the Chesapeake Bay Critical Area Commission are required to attend 60% of the Commission's meetings during any period of 12 consecutive months. We report attendance to the Governor's office on a calendar-year basis and we reached the mid-year point following the meeting in Cecil County on June 3rd.

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Very truly yours,

A handwritten signature in black ink that reads "John C. North, II". The signature is written in a cursive style with a large, stylized "J" and "N".

John C. North, II
Chairman

Branch Office: 31 Creamery Lane, Easton, MD 21601

(410) 822-9047

Fax: (410) 820-5093



Judge John C. North, II
Chairman


Ren Serey
Executive Director

**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

45 Calvert Street, 2nd Floor, Annapolis, Maryland 21401
(410) 974-2426 Fax: (410) 974-5338

June 10, 1998

Ms. Kathryn D. Langner
Langner Realty
P.O. Box 79
Chesapeake City, Md. 21915

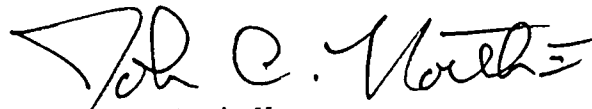
Dear Ms. Langner 

At this time, the Governor has not appointed a successor to your position on the Commission. While I can hope that your successor will be adequate to the task, I cannot hope that he or she will match your dedication to the work of the Commission.

The work will continue, but the staff and I will miss the expertise that you have provided. I want especially to acknowledge your service to the Commission above and beyond the conditions of an eight year tenure. You were one of the first members appointed to serve and you certainly demonstrated your unselfish commitment to the Chesapeake Bay. Your willingness to devote so much of your time to meetings and hearing is a sterling example to us all of what it means to be a good steward. Your contributions during the development and implementation of the Critical Area program significantly enhanced the Commission's ability to effect changes necessary for the Bay's survival as a living resource.

We wish you well in your endeavors and want you to know that we will genuinely miss your integrity and your unrelenting dedication to the Bay. Please join us on September 10, 1998 aboard the Maryland Independence as our guest for coffee, for lunch or both, and for a day on the Bay as we honor your achievements.

Very truly yours,


John C. North, II
Chairman

JCN, III/pm

cc: Ren Serey, Executive Director
Branch Office: 31 Creamery Lane, Easton, MD 21601
(410) 822-9047 Fax: (410) 820-5093
c:/E/commissi/retfmltr

Judge John C. North, II
Chairman



Ren Serey
Executive Director

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

45 Calvert Street, 2nd Floor, Annapolis, Maryland 21401
(410) 974-2426 Fax: (410) 974-5338

June 10, 1998

Mr. Russell W. Blake
P.O. Box 29
Pocomoke City, Md. 21851

Dear ~~Mr. Blake~~ *Russ*

The successor to your position on the Commission, Mr. Joseph Jackson of Pocomoke City will begin his term in July. While I can hope that he will be adequate to the task, I cannot hope that he will match your dedication to the work of the Commission.

The work will continue, but the Commission, the staff and I will miss the expertise that you have provided. I want especially to acknowledge your service to the Commission above and beyond the conditions of an eight year tenure. You were one of the first members appointed to serve and you certainly demonstrated your unselfish commitment to the Chesapeake Bay. Your willingness to devote so much of your time to meetings and hearing is a sterling example to us all of what it means to be a good steward. Your contributions during the development and implementation of the Critical Area program significantly enhanced the Commission's ability to effect changes necessary for the Bay's survival as a living resource.

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Very truly yours,

A handwritten signature in black ink that reads "John C. North, II".

John C. North, II
Chairman

JCN,III/pm

CC: Ren Serey, Executive Director

c:/E/commissi/retimltr

Branch Office: 31 Creamery Lane, Easton, MD 21601
(410) 822-9047 Fax: (410) 820-5093

TTY FOR DEAF ANNAPOLIS-974-2609 D.C. METRO-586-0450



John C. North, II
Chairman



Ren Serey
Executive Director

**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

45 Calvert Street, 2nd Floor, Annapolis, Maryland 21401
(410) 974-2426 Fax: (410) 974-5338

June 10, 1998

Joseph A. Jackson, III
City Hall, P.O. Box 29
Pocomoke City, Md. 21851


Dear Mr. Jackson:

Congratulations on your appointment to the Chesapeake Bay Critical Area Commission. You have joined a select group of citizens and government officials with a strong commitment to the protection and improvement of the Bay and its resources. The Commission members and staff join me in welcoming you.

The Commission meets on the first Wednesday of each month. Our next meeting will be held on July 1, 1998 in Crownsville, Maryland at the People's Resource Center, Conference Room 1100 A.

We will serve lunch at noon. The full Commission convenes at 1:00 p.m. I hope you will be able to attend and I look forward to seeing you in July.

Very truly yours,


John C. North, II
Chairman

JCN,II/pm

c:/E.commissi/welofmltr

Branch Office: 31 Creamery Lane, Easton, MD 21601
(410) 822-9047 Fax: (410) 820-5093

TTY FOR DEAF ANNAPOLIS-974-2609 D.C. METRO-586-0450

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410-820-5093 FAX

REN SEREY
EXECUTIVE DIRECTOR
410-974-2418 /26
410-974-5338 FAX



WESTERN SHORE OFFICE
45 CALVERT ST., 2ND FLOOR
ANNAPOLIS, MARYLAND 21401

EASTERN SHORE OFFICE
31 CREAMERY LANE
EASTON, MARYLAND 21601

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

June 25, 1996

Dear Commission Member:

RE: Dorchester County Judicial Appeal/§ 8-1812(a) Notice

You are hereby advised that I have initiated an appeal on the Commission's behalf in the following case in Dorchester County:

Petition of John C. North, II, Chairman, Chesapeake Bay Critical Area Commission, et al, for Judicial Review of the Decision of the Dorchester County Board of Appeals in the Case of Variance # 1747, Civil Case ____.

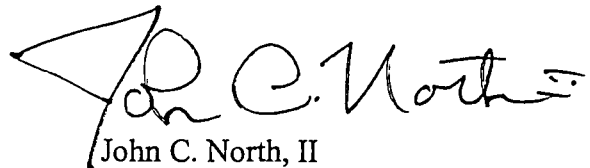
The Commission staff and I collectively believe that the Dorchester County Board of Appeals erroneously granted the Applicant's request for a variance in order to exceed the statutory limitations on impervious surfaces. The applicant, John Burtman of Tramp, Inc., proposed to develop a site located in the Limited Development Area with impervious coverage of 29 percent. The allowed limit is 15 percent. Commission staff appeared at the Board's hearing and testified in opposition to the variance. The Board of Appeals approved new development on the property totaling 24 percent. However, the Board did not apply the mandatory variance criteria requirements for the County Critical Area program. With Growth Allocation, the property could be designated IDA and could avoid impervious surface limits.

In accordance with Natural Resources Article, §8-1812, Annotated Code of Maryland, copy enclosed, if you disapprove of my action in this case, please notify me in writing within 35 days after the date of this notice. As provided in §8-1812, if 13 members of the Commission indicate disapproval of my action in a timely manner, I shall withdraw the action initiated. Please note the other procedural safeguards set forth in §8-1812.

Commission Member letter
June 25, 1996
Page 2

Thank you for your anticipated cooperation. The full Commission file on this matter is available at the Commission office for your review.

Very truly yours,



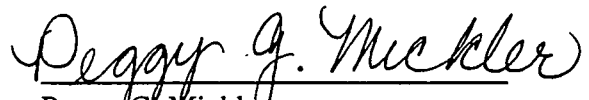
John C. North, II
Chairman

cc: All Commission members
Marianne Mason, Esquire

Original: Litigation file

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this ^{25th} day of June, 1996, I mailed a copy of this §8-1812(a) Notice via first class mail, postage prepaid, to each member of the Chesapeake Bay Critical Area Commission.



Peggy G. Mickley

§8-1812. Commission chairman; authority regarding judicial proceedings.

(a) *In general.* — After the Commission has approved or adopted a program, the chairman of the Commission has standing and the right and authority to initiate or intervene in any administrative, judicial, or other original proceeding or appeal in this State concerning a project approval in the Chesapeake Bay Critical Area. The chairman may exercise this intervention authority without first obtaining approval from the Commission, but the chairman shall send prompt written notice of any intervention or initiation of action under this section to each member of the Commission. The chairman shall withdraw the intervention or action initiated if, within 35 days after the date of the chairman's notice, at least 13 members indicate disapproval of the action, either in writing addressed to the chairman or by vote at a meeting of the Commission. A member representing the local jurisdiction affected by the chairman's intervention or action may request a meeting of the Commission to vote on the chairman's intervention or action.

(b) *Rules of procedure.* — Except as stated in this subtitle, the chairman is subject to general laws and rules of procedure that govern the time within and manner in which the authority granted in subsection (a) of this section may be exercised.

(c) *Appeal authorized.* — The chairman may appeal an action or decision even if the chairman was not a party to or is not specifically aggrieved by the action or decision.

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410- 820-5093 FAX

REN SEREY
EXECUTIVE DIRECTOR
410-974-2418 /26
410-974-5338 FAX



WESTERN SHORE OFFICE
45 CALVERT ST., 2ND FLOOR
ANNAPOLIS, MARYLAND 21401

EASTERN SHORE OFFICE
31 CREAMERY LANE
EASTON, MARYLAND 21601

**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

June 25, 1996

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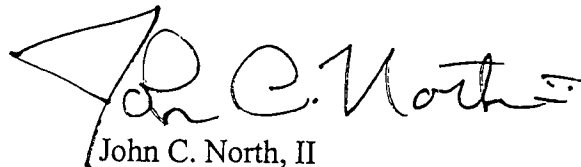
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Commission Member letter
June 25, 1996
Page 2

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Very truly yours,



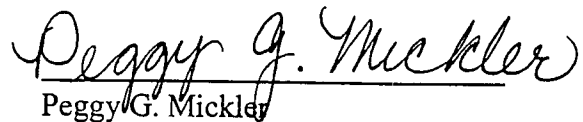
John C. North, II
Chairman

cc: All Commission members
Marianne Mason, Esquire

Original: Litigation file

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JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410-820-5093 FAX



WESTERN SHORE OFFICE
45 CALVERT ST., 2ND FLOOR
ANNAPOLIS, MARYLAND 21401

SARAH J. TAYLOR, Ph.D.
EXECUTIVE DIRECTOR
410-974-2418/26
410-974-5338 FAX

EASTERN SHORE OFFICE
31 CREAMERY LANE
EASTON, MARYLAND 21601

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

June 27, 1995

The Honorable Michael H. Weir
418 Eastern Boulevard
Baltimore, Maryland 21221

Dear Delegate Weir:

I understand that you contacted the Commission office last Friday and expressed concern that we had not informed you about the hearing on the Baltimore County Critical Area Program. I know that you have been involved in many Critical Area issues pertaining to the County, but it has never been our practice to contact State officials directly when we schedule public hearings. We place notices in local newspapers which specify the date, time, location and subject of the hearings. In the case of the Baltimore County comprehensive program review, notices appeared on June 15th in both The Avenue and The Dundalk Eagle. In the future, if you would care to be notified personally of Baltimore County hearings, we will be pleased to do so.

The record will remain open for comments on the Baltimore County program until July 15th. If you would like to submit comments, please send them to the Commission office at the above address. If you have questions or would like to discuss the County's proposed amendments, Pat Pudelkewicz and Regina Esslinger can be reached at (410) 974-2426.

With kind personal regards and best wishes.

Very truly yours,

A handwritten signature in black ink, appearing to be "John C. North, II".

John C. North, II
Chairman

cc: Pat Pudelkewicz
Regina Esslinger



JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410- 820-5093 FAX

REN SEREY
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**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

July 15, 1996

James A. Rogers
Ellen Sheriff Rogers
4873 Church Lane
P.O. Box 143
Galesville, Maryland 20765

Dear Mr. & Mrs. Rogers:

I have received your letter dated July 1, 1996 concerning the appeal cases regarding the property of Michael and Virginia Gutierrez. The first is an appeal from a decision made by the Administrative Hearing Officer who denied a variance to permit a dwelling addition and renovations with less setbacks and buffer than required. My staff reviewed and commented on that variance request in a letter to Mr. Kevin Dooley on October 2, 1995. I subsequently wrote to you on November 3, 1995 reinforcing my staff's position on the issue.

Our review of this application took place at the variance level. Under the Critical Area Criteria, §27.03.01.03, this office receives all variance requests for review and comment. It is my understanding that the Buffer variance has been considered a moot issue since the County's Buffer Exemption Area Ordinance took effect on November 6, 1995. Any development or redevelopment proposed in a mapped Buffer Exemption Area (BEA) may proceed without a variance to the Buffer provisions, if development is no further waterward than the existing structure. That does not excuse the applicant from meeting all other Critical Area requirements such as those concerning hydric soils and impervious surface limitations. The Buffer variance requested in this case met the County's BEA Ordinance.

From a reading of the Administrative Hearing Officer's decision, it appears the variance request was denied based on standards found in the County's Zoning Ordinance in Article 28 §11-102.1(c) that pertain to zoning issues.

The second appeal mentioned in your letter is in regard to the granting of a building permit to allow a second story addition with alterations to the first floor. The Critical Area Criteria in §27.03.01.03 specifically list those applications that a local jurisdiction must submit to Commission for review. Building permits are not on that list, and they are not reviewed by Commission. Consequently, this office did not receive copies of the building permit for the Gutierrez dwelling, nor do we receive copies of any other building permits in the Critical Area.

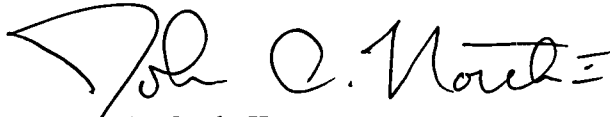
Mr. & Mrs. Gutierrez
Page Two
July 15, 1996

Nevertheless, my staff has contacted the County in response to your inquiry of this building permit. The County staff informed us that the building permit, which includes the redesign mentioned in your letter, is different from the original application in that only a half story is proposed instead of a full second story. Also, the applicant now meets all required zoning setbacks and therefore needs only an administrative variance from the Office of Planning and Code Enforcement.

In any case, this office's involvement in this case ended when the County's Buffer Exemption Area Ordinance took effect in November in that a Buffer variance was no longer necessary. Certainly, if other Critical Area variances were necessary for redevelopment of this property, a copy of that application would be sent to this office for review and comment.

I sincerely hope this information offers you some insight into this case. While this office is charged with insuring that the County is consistent with the goals of the Critical Area Law and Criteria, it is equally charged with ensuring that its authority does not overstep that of the local jurisdiction in zoning related issues.

Very truly yours,



John C. North, II
Chairman

**JAMES A. ROGERS
ELLEN SHERIFF ROGERS
4873 Church Lane
P.O. Box 143
Galesville, MD 20765**

July 1, 1996

Judge John C. North II
Chairman
State of Maryland
Chesapeake Bay Critical Area Commission
45 Calvert Street
Annapolis, MD 21401

Dear Judge North:

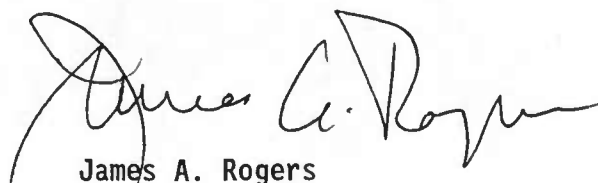
We wrote to you last October to express our disappointment with the action of the Critical Area Commission in not opposing a variance at 4871 Church Lane, Galesville. You replied to us that the Critical Area Commission does not oppose waterfront construction as long as there is no creation of new disturbance, infiltration or runoff.

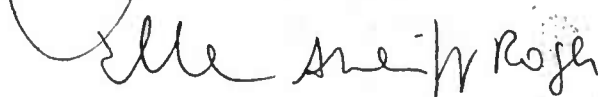
The variance was denied and the denial has been appealed by the property owners. In the interim, the property owners have redesigned their project and received a building permit (which we and other neighbors have appealed).

However, given your reply to our October letter (copy enclosed), we are at a loss to understand how the Critical Area Commission could support the redesigned project. First, there will be new construction only 16 feet from the water (see attached drawing indicating new 8" CMU foundation wall and new 24" x 12" thick footing). Second, there will be removal of an existing foundation wall "as required." Third, the house and garage will have roof overhangs of at least one foot all the way around and the house will have a new 12" thick porch footing. To refresh your recollection, the lot is only 13,503 square feet and already has structures and other impervious surfaces totaling 34% of the square footage of the lot.

The appeal of the building permit will be heard on July 23, 1996 and we would appreciate it if the Critical Area Commission would investigate prior that hearing.

Very truly yours,


James A. Rogers


Ellen Sheriff Rogers

Ellen Sheriff Rogers

RECEIVED

JUL 2 1996

Enclosures

CHESAPEAKE BAY
CRITICAL AREA COMMISSION

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410- 820-5093 FAX

REN SEREY
EXECUTIVE DIRECTOR
410-974-2418 /26
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WESTERN SHORE OFFICE
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ANNAPOLIS, MARYLAND 21401

EASTERN SHORE OFFICE
31 CREAMERY LANE
EASTON, MARYLAND 21601

**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

July 15, 1996

Mr. William Michael Giese, Jr.
4275 Maple Dam Road
Cambridge, MD 21613

Dear Mr. Giese:

Congratulations on your appointment to the Chesapeake Bay Critical Area Commission. You have joined a select group of citizens and government officials with a strong commitment to the protection and improvement of the Bay and its resources. The Commission members and staff join me in welcoming you.

The Commission meets on the first Wednesday of each month. Our next meeting will be held on August 7th in Anne Arundel County at the Department of Housing and Community Development, Conference Room 1100A. Directions are enclosed.

We will serve lunch at noon. This will be a good time to meet your fellow Commission members and I hope you will be able to attend.

If you will be unable to attend, please call the Commission office at (410) 974-2426.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II". The signature is written in a cursive style with a long horizontal stroke at the end.

John C. North, II
Chairman

JCN,II/pm
Enclosures: cited

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
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REN SEREY
EXECUTIVE DIRECTOR
410-974-2418 /26
410-974-5338 FAX



WESTERN SHORE OFFICE
45 CALVERT ST., 2ND FLOOR
ANNAPOLIS, MARYLAND 21401

EASTERN SHORE OFFICE
31 CREAMERY LANE
EASTON, MARYLAND 21601

**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

July 15, 1996

Ms. Jinhee Kim Wilde
5907 Holland Road
Rockville, Maryland 20851

Dear Ms. Wilde:

Congratulations on your appointment to the Chesapeake Bay Critical Area Commission. You have joined a select group of citizens and government officials with a strong commitment to the protection and improvement of the Bay and its resources. The Commission members and staff join me in welcoming you.

The Commission meets on the first Wednesday of each month. Our next meeting will be held on August 7th in Anne Arundel County at the Department of Housing and Community Development, Conference Room 1100A. Directions are enclosed.

We will serve lunch at noon. This will be a good time to meet your fellow Commission members and I hope you will be able to attend.

If you will be unable to attend, please call the Commisison office at (410) 974-2426.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II".
John C. North, II
Chairman

JCN,II/pm
Enclosures: cited

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410-820-5093 FAX



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SARAH J. TAYLOR, PhD.
EXECUTIVE DIRECTOR
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31 CREAMERY LANE
EASTON, MARYLAND 21601

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

July 17, 1995

Michael J Jacobs, Esq.
Talbot Landing No. 8
295 Bay Street
Easton, Maryland 21601-2737

Dear Mr. Jacobs:

Thank you for your letter concerning Talbot County Bill 573. I understand that there is much interest in the community concerning this bill. I have determined that the bill will be handled as an amendment to Talbot County's Critical Area Program. As such, it requires a public hearing held by a panel of Commission members. A date for the hearing has not yet been established. Once a date has been established it will be advertised in the local newspaper. In addition, I will have my staff notify you of the hearing date. The public hearing will provide an opportunity for Talbot County citizens to voice their opinions over the proposed amendment.

I hope this answers your questions concerning the proposed amendment. Theresa Corless of my staff is handling the proposed amendment. Please contact her for further information. Kindest personal regards.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II". The signature is stylized and includes a flourish at the end.

John C. North, II
Chairman

JCN/TIC/jjd



JUDGE JOHN C. NORTH, II
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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

July 18, 1995

The Honorable Clinton S. Bradley, III
President, Talbot County Council
Courthouse
11 North Washington Street
Easton, Maryland 21601

Dear President Bradley:

I read with some dismay an article in The Star Democrat regarding your concerns about the Critical Area Program. As you know, our staff has been working closely with the County Planning and Zoning staff to identify issues and begin formulating solutions during the four-year Critical Area Program review. This comprehensive Program review is mandated by law to be undertaken by a local jurisdiction every four years in order to 'fine tune' a Program and make necessary changes.

Guest houses will be one issue addressed during the Program review. I understand that you are specifically concerned about the issue. Several months ago, the Critical Area Commission established a definition of the term *dwelling unit* in order to provide needed clarity and consistency. The Commission adopted the definition used by the Building Officials and Code Administrators International Inc. (BOCA), the definition used by almost all jurisdictions in Maryland. I realize that this policy will have implications in Talbot County and elsewhere because it will require structures, such as guest houses and caretaker residences, to be considered dwelling units for purposes of density calculation. This is an issue only in the Resource Conservation Area where the density is limited to one dwelling unit per 20 acres, or one dwelling unit per grandfathered lot. The Commission is requesting that during comprehensive Program reviews all jurisdictions count as dwelling units those structures which meet the BOCA definition.

The enclosed letter to the Editor briefly discusses the importance of the Critical Area 100-foot Buffer. Appropriate Buffer maintenance measures are one of the issues to be discussed as part of the comprehensive review. The Commission realizes that successful protection of the Buffer, and the Chesapeake Bay, is dependent in very large measure on local governments and private citizens.

President Bradley
July 18, 1995
Page Two

One of the strengths of the Critical Area Program is that it is implemented locally. The Commission has no thought of changing that arrangement. I wanted you to know personally that we are approaching the comprehensive review with an open and cooperative frame of mind. Please feel free to contact me at any time to discuss these matters more fully.

With kindest personal regards.

Very truly yours,



John C. North, II
Chairman

JCN/jjd

Enclosure

cc: Mr. Robert D. Higgins
Mr. Andrew H. Anderson
Mr. Herbert L. Andrew, III
Mr. Steven F. Kinlock

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

July 18, 1995

Editor
Star Democrat
1 Air Park Drive
P O Box 600
Easton, Maryland 21601

Dear Editor:

I would like the opportunity to respond to an article in the July 17, 1995 edition of this paper. The article, entitled "Again, a land use battle looms on Shore" was misleading concerning requirements of the State's Chesapeake Bay Critical Area Act and the County's Critical Area Program. The article discussed three different State programs, including the Critical Area Program, but did not differentiate clearly. This lack of clarity unfortunately may lead to confusion or misunderstanding about a very beneficial program.

The County is currently undertaking a comprehensive review of its Critical Area Program. The purpose of the comprehensive review is to bring the County's program into full compliance with any changes in regulations at the state level and to correct any inconsistencies in the County's program. The comprehensive review also provides the County an opportunity to make changes or clarifications it deems necessary to implement its program.

The 100-foot Buffer in the Critical Area is one of the most important and most misunderstood components of the Critical Area Program. The Buffer was established to provide water quality benefits and to provide an area of transitional habitat between aquatic and upland communities. There is an emphasis on forested Buffers because they provide a higher level of water quality and habitat benefits than do grassed Buffers. The 100 foot Buffer is a cornerstone in our effort to protect the Chesapeake Bay.

There has been some discussion between Critical Area Commission staff and County Planning and Zoning staff regarding appropriate maintenance measures in the Buffer. Our greatest concern is that Buffers that are currently forested not be cleared. Property owners may continue to mow their lawns in the Buffer, if it has been their practice to do so. They may also remove noxious weeds from the Buffer.

July 18, 1995
Page Two

The County currently does not provide sufficient guidance on the issue of clearing and cutting in forested Buffers. We hope to discuss this issue as part of the comprehensive review and, together with County Planning and Zoning staff, reach an agreement on measures that will protect the Bay and are reasonable to property owners.

I want to stress that the Critical Area Program has always been and shall always be a joint state/local effort to protect our greatest natural resource, the Chesapeake Bay.

Very truly yours,

A handwritten signature in black ink, appearing to read "John C. North, II". The signature is written in a cursive style with a large initial "J" and a long horizontal stroke at the end.

John C. North, II
Chairman

JCN/jjd

cc: The Honorable Clinton S. Bradley, III
Mr. Robert D. Higgins
Mr. Andrew H. Anderson
Mr. Herbert L. Andrew, III
Mr. Steven F. Kinlock

Judge John C. North, II
Chairman



Ren Serey
Executive Director

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

45 Calvert Street, 2nd Floor, Annapolis, Maryland 21401
(410) 974-2426 Fax: (410) 974-5338

August 12, 1999

The Honorable Clarence W. Blount
Chairman
Economic and Environmental Affairs Committee
4811 Liberty Heights Avenue
Baltimore, Maryland 21207-7193

Dear Chairman Blount:

I have received a copy of a letter to you from Delegate Kenneth Schisler concerning a walkway constructed in the Critical Area Buffer in Talbot County. I write with some disappointment at the manner in which Delegate Schisler described the situation and find it necessary to set the record straight.

At the outset you should understand that Delegate Schisler has recently become associated with the Easton law firm of Cowdrey, Thompson and Karsten. This is the same firm that represents Dr. and Mrs. Mastandrea in this matter.

Ms. Leah Mastandrea, the young woman for whom the walkway was constructed, has muscular dystrophy and is confined to a wheelchair. She traverses her family's property on Glebe Creek by means of an extensive series of brick walkways which provide her access to many of the site's features, including a swimming pool, lake and gardens, as well as the shoreline, boat dock and pier.

Delegate Schisler says that the Commission's opposition to a portion of the walkway system "is an example of government without a heart." He also states that the Commission "has either lost sight of or dismissed the importance of fundamental civil rights of people with disabilities." His characterization of the situation not only is wrong, but he also fails to tell the full story.

The Circuit Court for Talbot County, after expressing concern for the Mastandreas' unfortunate situation, has directed that the walkway be removed as a clear violation of the Critical Area law. Delegate Schisler well knows that the Commission has emphasized throughout that access to the water is permitted under the Critical Area Criteria. He doesn't mention that we do not oppose the portion of the walkway that extends from the Mastandrea home to the shoreline.

Branch Office: 31 Creamery Lane, Easton, MD 21601
(410) 822-9047 Fax: (410) 820-5093

The Honorable Clarence W. Blount
August 12, 1999
Page 2

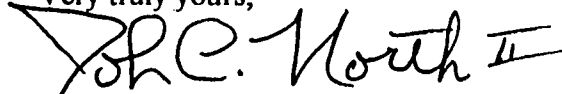
This 10 foot wide walkway with two large turn-around areas offer Ms. Mastandrea direct and significant access through the buffer to the pier and boat dock.

I believe that we in government have the responsibility to implement laws and regulations with a good measure of common sense. In this case, I certainly wish that Dr. Mastandrea had applied for local permits or talked with us before he constructed the walkway. If he had, I have no doubt that we could have found a way to accommodate Ms. Mastandrea's needs within the regulations. Instead, this large walkway, covering many thousands of square feet of impervious surface, was constructed in the most sensitive of areas, in the Critical Area Buffer, without permits or consultation of any sort. It has been described to me by a neighbor who flies over the property as being so extensive as to resemble the Great Wall of China! It is certainly not looked upon sympathetically by others in the community.

Please be assured that the Critical Area commission will continue to assess its policies as needs are identified. We will keep you apprised as our assessment progresses. As I am sure you can appreciate, an individual development project, or brick walkway for that matter, will not by itself endanger the fragile ecology of the Bay. But the cumulative impacts of many projects will. Our challenge is in finding the right balance between protection and individual needs. The walkway delegate Schisler writes about should have been relocated and scaled back, and could have been with a little consultation.

If you have questions about this matter or if you would like additional information, please contact me.

Very truly yours,



John C. North, II
Chairman

cc: Delegate Kenneth D. Schisler
Eastern Shore Delegation
Joint Oversight Committee on the
Chesapeake Bay Critical Area
House Environmental Matters Committee
Senate Economic and Environmental Affairs Committee
The Honorable William S. Horne
Dr. John Mastandrea

Judge John C. North, II
Chairman



Ren Serey
Executive Director

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

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August 31, 1998

His Excellency Parris N. Glendening
Governor of Maryland
State House
Annapolis, Maryland 21401

RE: Hyatt Regency Resort: Cambridge

Dear Governor Glendening:

At my house in St. Michaels last week, you asked for an outline of the Corps of Engineers' concerns regarding the proposed Hyatt resort in Cambridge. Following is a list of issues which the Corps raised at a meeting on August 26th with the developer and staff from the Department of the Environment and the Critical Area Commission.

Swimming Beach

The developer wants to remove the existing seawall on the Choptank River, construct off-shore breakwaters for erosion control and create a swimming beach 150 feet into the river. The Corps is concerned that the deposit of sand in this area will result in the loss of shallow-water habitat. The Corps believes that if the existing seawall is failing, as the developer maintains, it should be replaced in its current location.

Marina

A 450-slip marina is proposed in an area of the Choptank near mapped shellfish beds. The water depth is approximately four-and-one-half feet near the shoreline and eight-ten feet farther out. The developer wishes to dredge the near-shore area to achieve a deeper, uniform marina depth for larger boats. The Corps said that the number of slips should be reduced to lessen overall water quality impacts and that the shallower depths still would be adequate for smaller boats.

Branch Office: 31 Creamery Lane, Easton, MD 21601
(410) 822-9047 Fax: (410) 820-5093

TTY FOR DEAF ANNAPOLIS-974-2609 D.C. METRO-586-0450

His Excellency Parris N. Glendening
August 31, 1998
Page 2

Open-Water Fill for Golf Tees

Golf hole #17 is designed to cross Shoal Creek in the interior of the property. The creek is several hundred feet wide in this area. In order to make the hole more playable, the developer has designed the tees on a 3,000-4,000 square foot area of open-water fill. A bridge would carry golfers across the creek to the green. The Corps representatives said that the tees are not water-dependent; thus, they are not permitted under the Clean Water Act. A further concern is that the filled area would be a hindrance to navigation on the creek. The Corps suggested relocating Hole #17 to the head of Shoal Creek, where fill would not be necessary and where a smaller bridge could accommodate the golfers.

Wetlands Fill for Townhouses

Approximately 5,000 square feet of nontidal wetlands is proposed to be filled for a section of townhouses near Route 50. The Corps expressed significant concern that this area of filled wetlands was proposed for housing, a non-water-dependent use.

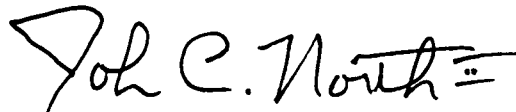
Cart Paths

The Corps expressed concern over the width of golf cart and pedestrian paths where they crossed wetlands.

I do not know if this list is exhaustive of the Corps' concerns. I can inquire further if you wish.

With kindest personal regards.

Very truly yours,



John C. North, II
Chairman

JUDGE JOHN C. NORTH, II
CHAIRMAN
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410- 820-5093 FAX

REN SEREY
EXECUTIVE DIRECTOR
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**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

August 8, 1996

Dear Commission Member:

RE: Anne Arundel County Judicial Appeal/§ 8-1812(a) Notice

At our meeting on August 7, as counsel discussed, I have initiated an appeal on the Commission's behalf in the following case in Anne Arundel County:

Petition of John C. North, II, Chairman, Chesapeake Bay Critical Area Commission, et al, for Judicial Review of the Decision of the Anne Arundel County Board of Appeals in the Case of Appeal #BA60-95V, Civil Case C-96-30961 AA.

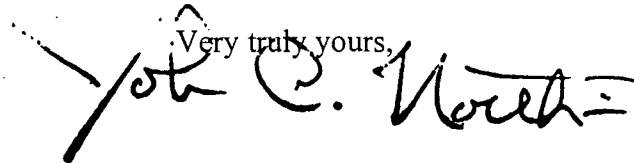
The Commission staff and I collectively believe that the Anne Arundel County Board of Appeals erroneously granted the Applicant's request for a variance in order to site an accessory structure in the expanded Buffer for steep slopes. The applicants, James and Agnes McEneaney, proposed to construct a swimming pool on a site located in the Limited Development Area. Commission staff appeared at the Board's hearing and testified in opposition to the variance based on the variance standards and the criteria concerning Habitat Protection Areas in COMAR 27.01.11.01 and 27.01.09.01 and the County Critical Area Program. The Board of Appeals approved the swimming pool in the expanded Buffer. The Board did not properly apply the mandatory variance criteria requirements consistent with the Court of Special Appeals' ruling in North v. St. Mary's County, 99 Md.App. 502, 638 A.2d 1175 (1994).

In accordance with Natural Resources Article, §8-1812, Annotated Code of Maryland, copy enclosed, if you disapprove of my action in this case, please notify me in writing within 35 days after the date of this notice. As provided in §8-1812, if 13 members of the Commission indicate disapproval of my action in a timely manner, I shall withdraw the action initiated. Please note the other procedural safeguards set forth in §8-1812.

Commission Member letter
August 8, 1996
Page 2

Thank you for your anticipated cooperation. The full Commission file on this matter is available at the Commission office for your review.

Very truly yours,



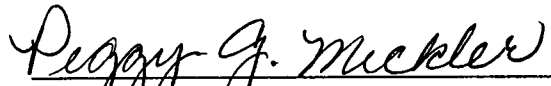
John C. North, II
Chairman

cc: All Commission members
Marianne Mason, Esquire

Original: Litigation file

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 8th day of August, 1996, I mailed a copy of this §8-1812(a) Notice via first class mail, postage prepaid, to each member of the Chesapeake Bay Critical Area Commission.


Peggy G. Mickler
Peggy G. Mickler

§8-1812. Commission chairman; authority regarding judicial proceedings.

(a) *In general.* — After the Commission has approved or adopted a program, the chairman of the Commission has standing and the right and authority to initiate or intervene in any administrative, judicial, or other original proceeding or appeal in this State concerning a project approval in the Chesapeake Bay Critical Area. The chairman may exercise this intervention authority without first obtaining approval from the Commission, but the chairman shall send prompt written notice of any intervention or initiation of action under this section to each member of the Commission. The chairman shall withdraw the intervention or action initiated if, within 35 days after the date of the chairman's notice, at least 13 members indicate disapproval of the action, either in writing addressed to the chairman or by vote at a meeting of the Commission. A member representing the local jurisdiction affected by the chairman's intervention or action may request a meeting of the Commission to vote on the chairman's intervention or action.

(b) *Rules of procedure.* — Except as stated in this subtitle, the chairman is subject to general laws and rules of procedure that govern the time within and manner in which the authority granted in subsection (a) of this section may be exercised.

(c) *Appeal authorized.* — The chairman may appeal an action or decision even if the chairman was not a party to or is not specifically aggrieved by the action or decision.

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
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SARAH J. TAYLOR, PhD.
EXECUTIVE DIRECTOR
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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

August 6, 1996

The Honorable Frederick W. Puddester
Secretary
Maryland Department of Budget and Fiscal Planning
45 Calvert Street, 1st Floor
Annapolis, Maryland 21401-1907

Via Telefax: 410-974-2585

Re: Critical Area Commission Offices

Dear Mr. Secretary:

I was glad to meet with you and Secretary Griffin to discuss the suggestion that you might wish to ask the Critical Area Commission offices be moved to the Tawes Building.

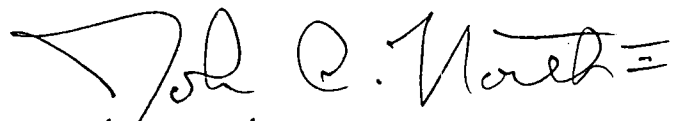
As I indicated to you, my staff and I wish to be cooperative and to assist you in every reasonable way with respect to resolving space problems for your department. If it were your suggestion that we move from our present quarters to another location offering the same or similar facilities, I would not see any real impediment to complying with your wishes. Unfortunately, however, this is not the suggestion.

You and Secretary Griffin have indicated that the building to which Critical Areas would be expected to move would be the Tawes Building. This poses a very serious problem. We have some sixteen private offices here at 45 Calvert Street. This privacy enables our staff to meet in confidence with landowners, developers, attorneys and various officials to discuss Critical Area regulations and standards. There would be no such privacy afforded at the Tawes Building. As Secretary Griffin pointed out, that building was designed for open floor use. The only "privacy" available is provided by room dividers which reach neither to the floor nor to the ceiling.

The Honorable Frederick W. Puddester
August 6, 1996
Page Two

The issue of confidentiality goes to the very heart of the operation of the Critical Area program. I pointed this problem out in some detail to Secretary Griffin in my letter to him of February 1, 1996, a copy of which I enclose for your perusal. Apparently after he gave further thought to the matter Secretary Griffin decided against requiring that we re-locate to the Tawes Building. I hope that you, too, will see the validity of my concerns and that you will be able to make arrangements for your Baltimore division which will not entail this most serious disruption of the Critical Area program.

Very truly yours,



John C. North, II
Chairman

JCN,II/pm

Enclosure: cited

cc: The Honorable John C. Griffin
Secretary, Department of Natural Resources

Ren Serey, Executive Director, CBCAC

JUDGE JOHN C. NORTH, II
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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

August 29, 1995

Honorable Barbara R. Thompson, President
Board of County Commissioners
P.O. Box 653
Governmental Center
Leonardtown, Maryland 20650

Dear Commissioner Thompson:

The Chesapeake Bay Critical Area Commission, at its meeting on August 2, 1995, accepted the Board of Commissioners' request for settlement of outstanding growth allocation appeals. The Commission agreed to approve, as originally submitted, the growth allocation amendments for Lore's Landing, Eppard Subdivision and St. Clement's Woods. The Commission recognizes that in the future, the County will interpret its growth allocation provisions consistent with Commission policies.

I have asked the Commission's Counsel, Assistant Attorney General Marianne Mason, to contact the County Attorney in order to draft a mutually acceptable Consent Decree to embody the terms of our agreement and to effect the dismissal of the appeals from Circuit Court. Commission staff will contact Planning Director Jon Grimm to obtain corrected copies of the Critical Area maps for our records.

I believe this settlement is in the best interests of all parties and I thank you and the entire Board of Commissioners for your efforts in this regard.

Very truly yours,

A handwritten signature in cursive script that reads "John C. North, II".

John C. North, II
Chairman

JUDGE JOHN C. NORTH, II
CHAIRMAN
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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

August 30, 1995

Mr. Raymond N. Porter
Marine Trades Association of
Baltimore County, Inc.
P O Box 18137
Baltimore, Maryland 21220

Dear Mr. Porter:

Thank you for your letter describing the Special Advisory Committee on the Baltimore County Critical Area Program. As you know, the Critical Area Commission recently approved the County's 4-year Program Review. Many of the recommendations contained in the Advisory Committee's report were incorporated into the County's Program.

I note that there were several recommendations in the Advisory Committee's report that were "State Program Recommendations".

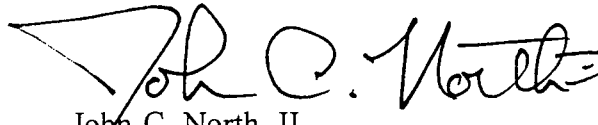
- HB617/SB566, which passed the General Assembly this year, addresses the recommendation to devise a system to avoid duplication of regulatory activities for piers and bulkhead construction. We will be working with the Water Resources Administration to accomplish the intent of this legislation.
- The recommendation to reduce the Buffer requirements for residential and small commercial lots in existing developed communities is currently being addressed by the County in the development of a Buffer Management Plan which is supported by the Commission. We believe this will go a long way to assist waterfront property owners with development plans on grandfathered lots.
- In addressing the issue of impervious surfaces, the Critical Area Commission views sheds and swimming pools as impervious surfaces. The Commission is open to explore other means to address the impervious surface issue on grandfathered lots other than calling an impervious surface pervious. With regard to decks, they can be viewed as pervious when they are constructed to provide spaces between the wooden planks with gravel below. This allows rainwater to filter through, thus permitting percolation into the soil and eliminating the sheet runoff normally associated with impervious surfaces. Baltimore County staff already consider such decks to be pervious.

Mr. Raymond N. Porter
August 30, 1995
Page Two

- The final State recommendation, to add "character of the neighborhood" and economic factors into the consideration of Critical Area variances, is not supported by the Critical Area Commission. The majority of variances involve the Buffer, and we believe that the addition of these two factors would greatly lessen the ability of the local government to protect the sensitive environment of the Critical Area Buffer. Instead of adding these two less restrictive and less protective standards, we would recommend that the County be given the chance to establish and operate its Buffer Management Program, and hopefully this will resolve many of the instances where a variance would have previously been needed.

Thank you for your efforts to address areas of concern with the Baltimore County Critical Area Program. We are very interested in "finetuning" provisions of the criteria to make them more implementable; however, we do so only with an understanding that the effectiveness of the Program is not jeopardized. We will continue to look into the area of impervious surfaces on grandfathered lots to come up with alternative solutions, and we are open to look at and discuss solutions to any aspects of the criteria which are causing implementation concerns.

Very truly yours,



John C. North, II
Chairman

JCN/PJP/jjd

cc: Mr. Ren Serey
Ms. Pat Pudelkewicz
Ms. Regina Esslinger

MEMORANDUM

4/17

TO: Pat

FROM: Peggy

RE: Attached

The attached correspondence is to the attention of the Chairman. Please process as a priority and,

prepare reply for signature of Chairman;

advise whether response is necessary and/or disposition of correspondence;

Your prompt attention and cooperation is very much appreciated. Kindly route drafts and/or advice through me. Thank you.



Marine Trades Association of Baltimore County, Inc.

P.O. Box 18137 • Baltimore, Maryland 21220
(410) 335-6563 • Fax (410) 335-7447

July 13, 1995

RECEIVED

JUL 14 1995

CHESAPEAKE BAY
CRITICAL AREA COMMISSION

OFFICERS

President
Raymond Porter
Porter's Seneca Marina, Inc.

Vice President
Wayne Miskiewicz
MD Marina & Yacht Sales

Secretary
Brian Hall
Old Bay Marina

Treasurer
Jeanne Petersen
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Brown's Cove Marina

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Tradewinds Marina

Dennis Peterson
Sue Island Yacht Basin

Gary Rosenberger
Cutter Marine, Inc

Carl Stallard
Beacon Light Marina

Judge John North
Chairman
Critical Areas Commission
45 Calvert Street
Annapolis, MD 21401

Dear Judge North:

On June 22, 1995, representatives from the Marine Trades Association attended a public hearing on the review of the Baltimore County Critical Area Program held at Chesapeake Senior High School.

The Marine Trades Association of Baltimore County along with the Millers Island-Edgemere Business Association was responsible for having the Special Advisory Committee on the Baltimore County Critical Area Program created in February 1994. The Marine Trades Association of Baltimore County and the Millers Island-Edgemere Business Association met with the director of the Baltimore County Department of Environmental Protection and Resource Management (DEPRM) and representatives from the Critical Area Commission over a period of ten (10) months. This committee was comprised of community, civic, and business representatives to explore the problems in the Baltimore County Critical Area Program. During this period of time, two (2) public meetings were held allowing community input. The committee came up with a list of suggestions and recommendations that would respond to the needs of the citizens in Baltimore County.

The Marine Trades Association of Baltimore County would appreciate your reviewing these suggestions at your earliest convenience. We would hope that you would respond favorably. If you have any questions, please feel free to contact me.

Sincerely,

Raymond N. Porter

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410-820-5093 FAX

SARAH J. TAYLOR, PhD.
EXECUTIVE DIRECTOR
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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

August 15, 1995

The Honorable Charles A. Dutch Ruppensberger, III
Baltimore County Executive
400 Washington Avenue
Towson, Maryland 21204

Dear Mr. Ruppensberger:

Secretary Griffin asked me to respond to your letter regarding HB 440. I assure you that I appreciate the problems property owners face when contemplating certain types of development common to the residential setting. I must emphasize my belief, however, that the established means of dealing with these difficulties are preferable to the broad-brush approach of legislation.

I am encouraged by the comprehensive proposals for a Buffer Management Area program submitted by the Department of Environmental Protection and Resource Management. The Critical Area Commission staff has completed its review of the draft provisions and forwarded comments to the Department. Although our staff raised some concerns, I am confident that implementation of these County-designed measures will assure continued protection of sensitive shoreline areas while alleviating many of the frustrations which property owners experience. My understanding is that the County's Buffer Management Area program may be fully operable by the end of this year.

As you requested, we will contact Messrs. Kelly and Perdikakis to discuss any outstanding issues and concerns.

Very truly yours,

A handwritten signature in cursive script that reads "John C. North, II".

John C. North, II
Chairman

cc: Secretary John R. Griffin
Senator Norman R. Stone, Jr.
Delegate Michael H. Weir

Letter sent to:

~~George H. B.~~

Polly Wirth
Danill Lynch
Raymond Porter
Jackie Nickel
Malcolm Wood
William Street
Betty Christopher

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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

August 8, 1995

Ms. Ellen F. Jackson
EMR Civic Council
P O Box 5031
Baltimore, Maryland 21220

Dear Ms. Jackson:

I have received your letter regarding the proposed changes to the Baltimore County Critical Area Program. A copy of your letter was provided to the panel of the Chesapeake Bay Critical Area Commission present at the public hearing on June 22, 1995. Please be assured that your comments were taken into account by the panel and the full Commission. At the August 2, 1995 meeting in Crownsville, the Commission approved the proposed amendments to the Baltimore County Program as submitted, and acknowledged that, in order for the comprehensive four year review to be considered complete, the County must update the following:

1. The Critical Area maps
2. The Habitat Protection Area maps
3. Uses in the Resource Conservation Area and
4. The Policy Manual

I commend your participation in the four year comprehensive review process of Baltimore County. The success of Baltimore County's Critical Area Program depends on the cooperation and the involvement of both an informed citizenry and elected officials.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II".

John C. North, II
Chairman

JCN/jjd

JUDGE JOHN C. NORTH, II
CHAIRMAN
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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

August 8, 1995

Mr. Carl Hobson
President
Millers Island-Edgemere Business Association, Inc.
P.O. Box 6573
Edgemere, Maryland 21219

Dear Mr. Hobson:

I have received your letter regarding the proposed changes to the Baltimore County Critical Area Program. Your comments were similar to other letters considered by the panel. At the August 2, 1995 meeting in Crownsville, the Commission approved the proposed amendments to the Baltimore County Program as submitted, and acknowledged that, in order for the comprehensive four year review to be considered complete, the County must update the following:

1. The Critical Area maps
2. The Habitat Protection Area maps
3. Uses in the Resource Conservation Area and
4. The Policy Manual

I commend your participation in the four year comprehensive review process of Baltimore County. The success of Baltimore County's Critical Area Program depends on the cooperation and the involvement of both an informed citizenry and elected officials.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II". The signature is stylized and written in a cursive-like font.
John C. North, II
Chairman

JUDGE JOHN C. NORTH, II
CHAIRMAN
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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

August 3, 1995

Mr. George Perdikakis, Director
Department of Environmental Protection
and Resource Management
Suite 416
401 Bosley Avenue - County Courts Building
Towson, Maryland 21204

Dear Mr. Perdikakis:

At the August 2, 1995 meeting, the Chesapeake Bay Critical Area Commission voted to approve the proposed amendments to the Baltimore County Program as submitted, and acknowledge that, in order for the comprehensive four year Program review to be considered complete, the County must update the following:

1. The Critical Area maps
2. The Habitat Protection Area maps
3. Uses in the Resource Conservation Area and
4. The Policy Manual

Pursuant to Natural Resources Article 8-1809, Annotated Code of Maryland, as amended, the County shall, within 120 days of receipt of this letter, incorporate the approved program amendments into its adopted Program.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II". The signature is written in a cursive style with a horizontal line at the end.
John C. North, II
Chairman

cc: Ms. Pat Farr, DEPRM
Mr. John Hession, BRNCA
Ms. Pat Pudelkewicz
Ms. Regina Esslinger
File



Judge John C. North, II
Chairman



Ren Serey
Executive Director

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

45 Calvert Street, 2nd Floor, Annapolis, Maryland 21401
(410) 974-2426 Fax: (410) 974-5338

September 16, 1998

Captain Joseph P. Scharnus
Maryland Independence
Natural Resources Police
Maryland Department of natural Resources
580 Taylor Avenue
Annapolis, Maryland 21401

Dear Captain Scharnus:

The Chesapeake Bay Critical Area Commission members, staff and I greatly appreciate the very skilled and talented efforts of the crew of the Maryland Independence in once again providing transportation for a Day on the Bay.

Our recent excursion on September 10th, 1998 to Eastern Bay and to Kent Narrows provided an opportunity to learn about the Chesapeake Bay and to experience the diversity of this valuable resource, important components to the Critical Area program and essential to its effective implementation.

Thank you for a very memorable occasion and for your hospitality. We look forward to sailing with you again! And, perhaps we will try next summer to get you signed up for a springboard on one of our log canoes.

With kindest personal regards.

Sincerely,

A handwritten signature in black ink that reads "John C. North, II". The signature is stylized and written in a cursive-like font.

John C. North, II
Chairman

JCN,II/pm
cc: Colonel John W. Rhoads

Branch Office: 31 Creamery Lane, Easton, MD 21601
(410) 822-9047 Fax: (410) 820-5093

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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

September 9, 1997

His Excellency Parris N. Glendening
Governor, State of Maryland
State House
Annapolis, Maryland 21401

Dear Governor Glendening:

The Chesapeake Bay Critical Area Commission is reviewing a proposal from the Town of Chesapeake Beach to extend Buffer Exemption status to an area slated for new development. Mayor Gerald Donovan informed the Commission that he has been in touch with your office about this matter.

You will recall that the entire bayfront shoreline of Chesapeake Beach is a Buffer Exempt Area (BEA). Under the Critical Area Criteria, standard Buffer setbacks are flexible in BEAs but new development must minimize further disturbances. The Town proposes to extend the BEA into the interior of a five-acre bayfront parcel at the existing tide gate. This is an area of open water and tidal wetlands; the upland portion of the site is about three acres and is undeveloped. The site is served by public water and sewer.

The Commission is mindful of the opportunity for the Town that development of this site might bring. However, because the Commission has never before reviewed a BEA proposed for an undeveloped commercial site, we have proceeded cautiously. Our staff has worked diligently for several months to render technical assistance to Town officials. In two meetings of the program subcommittee, Commission members have expressed a concern that site plans reflect protection of Critical Area resources. With the cooperation of Mayor Donovan, town officials, and the developer, I am certain we can identify a proper balance among the contending interests.

We expect a formal proposal from the Town Council this month and we will schedule a public hearing shortly thereafter. If you have questions or would like further information, please contact me or Ren Serey at (410) 974-2426.

Very truly yours,

A handwritten signature in black ink, appearing to read "John C. North, II".
John C. North, II
Chairman

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
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**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

September 16, 1996

Mrs. Doris L. Dorr
8164 Bayside Drive
Pasadena, Maryland 21122

Dear Mrs. Dorr:

Secretary Griffin asked that I respond to your letter concerning the proposed Bodkin Point III subdivision. I initially prepared a response some time ago but delayed contacting you pending a series of meetings involving State legislators, County officials and Critical Area Commission staff.

As you know, the Resource Conservation Area (RCA) designation of the site allows development at a density of one dwelling per 20 acres. The initial plan which our staff reviewed showed a five-lot subdivision resulting from the three RCA-generated lots and two grandfathered lots. I understand that there was much neighborhood opposition to these additional grandfathered lots. We were quite concerned as well about their legal status.

On September 11th, our staff met with County planning officials who informed us that the grandfathered lots would not be part of the project. However, due to the presence of a County road which bisects the property, four lots could be approved in the RCA instead of three. This is a standard subdivision procedure in other Critical Area jurisdictions and nothing in the Critical Area Criteria prevents its use. Therefore the Critical Area Commission will not oppose the subdivision for four lots.

The local zoning regulations and the County's approved Critical Area Program set the guidelines within which development of the property may occur. While I share your concern for the

Mrs. Doris L. Dorr

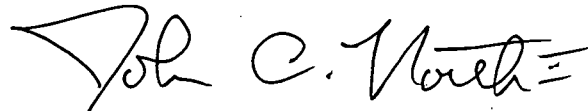
Page 2

habitat and water quality benefits this forested parcel provides, I also recognize that the property is zoned for residential use. The Commission will work closely with the County to ensure to the best of our ability that natural resources on the parcel will be conserved and that disturbance to sensitive areas will be minimized.

Finally, you mention that the proposed septic systems will be connected to an existing community system that serves Bodkin Point I and II. I understand that the Maryland Department of the Environment (MDE) and the Anne Arundel County Health Department have reviewed this proposal extensively. These agencies, which serve as the permitting agencies for septic systems, have found that the existing systems (one mound system and two in-ground systems) have sufficient capacity to handle the proposed lots in Bodkin Point III. The septic fields located on the west side of the parcel, along Riverside Drive, will serve as a backup in the event the primary systems fail. If you need specific information about the septic systems, you can contact MDE at (410) 631-3779. The County Health Department can be reached at (410) 970-8250. Both of these agencies should be able to answer any questions about the systems and related health concerns.

If you have additional Critical Area questions or need further assistance, please contact Ms. Lisa Hoerger of my staff at (410) 974-2426.

Very truly yours,



John C. North, II
Chairman

JUDGE JOHN C. NORTH, II
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**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

September 11, 1996

His Excellency Parris N. Glendening
Governor, State of Maryland
State House
Annapolis, Maryland 21401

Re: Marianne Mason, Esquire
Court of Special Appeals

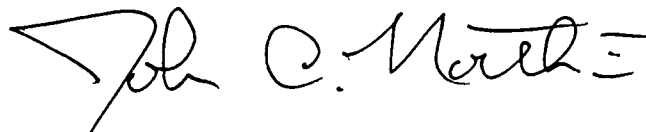
Dear Governor Glendening:

As you may be aware Marianne Mason of the Attorney General's office has provided legal counsel to the Critical Area Commission for a considerable period of time.

I am delighted to learn that Ms. Mason has been endorsed by the Judicial Nominating Commission as qualified for a seat on the Court of Special Appeals. I am, at the same time, distressed at the prospect of being deprived of her particularly scholarly and highly valued legal counsel. It has been my observation that Ms. Mason is not only an especially astute attorney, but she is also possessed of a calm, organized and persuasive manner. She combines a keen intellect with a pleasant and congenial personality, characteristics which would serve her (and the State of Maryland) well if she should be named as judge.

I have reviewed the information supplied in Ms. Mason's personal data questionnaire supplied to the Judicial Nominating Commission. Quite frankly, I would have difficulty in imagining anyone with a more impressive and diverse intellectual and legal background. I take very real pleasure in recommending Ms. Mason for your favorable consideration as Judge of the Court of Special Appeals for the Fifth Appellate Circuit.

Most respectfully,


John C. North, II

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

September 12, 1995

Mr. Robert C. Knowles
9792 Martingham Circle #10
Post Office Box 576
St. Michaels, Maryland 21663

Dear Mr. Knowles:

I have received and considered your letter. As I was not in attendance at the Critical Area Commission meeting on September 16, 1995, your letter was given to Mr. Michael Whitson, Commissioner, and Mr. Ren Serey, Executive Director of the Critical Area Commission, for their response. They concluded that as Dr. Foor has no interest in either of the properties involved, there is no conflict of interest. I concur with their decision regarding this matter.

Thank you for your interest.

Very truly yours,

A handwritten signature in cursive script that reads "John C. North, II".
John C. North, II
Chairman

JCN/TIC/jjd



ROBERT C. KNOWLES

9792 Martingham Circle #10, Post Office Box 576

St Michaels, MD 21663

Phone (410) 745-5844; Fax (410) 745-5936

September 6, 1995

Judge John C. North, II, Chairman
Chesapeake Bay Critical Area Commission
45 Calvert Street
Annapolis, Maryland 21401

Via Fax - (410) 974-5338

Re: Commission Hearings on Talbot County Bill No. 573

Dear Judge North:

It has come to my attention that Dr. James C. Foor may have a potential conflict of interest with respect to the subject hearings, which are the continuation this morning of the Panel Hearing commenced on August 14, 1995 in Talbot County Courthouse, of which he is the Chairman, and then the full Commission Hearing this afternoon.

I understand that Dr. Foor has had an ownership interest in a limited partnership which may seek the use of Transferred Development Rights (TDR's). In such capacity he would appear to have a potential personal financial interest in advancing the liberal use of TDR's, an interest which could be inimical to an impartial evaluation of the facts involved in arguments re Talbot County Bill No. 573, and I believe therefore that Dr. Foor should not be a party to the Commission's decision on this matter.

Thank you for your consideration of my concerns.

Sincerely yours,

Robert C. Knowles

JUDGE JOHN C. NORTH, II
CHAIRMAN
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**STATE OF MARYLAND
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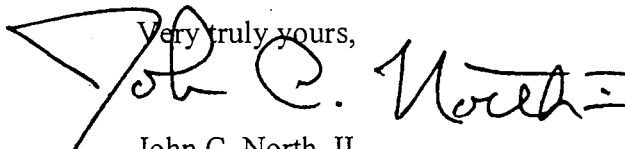
October 29, 1997

Mr. Thomas E. Jordan
Smithsonian Environmental Research Center
P O Box 28
Edgewater, Maryland 21037

Dear Mr. Jordan:

Thank you for your most informative presentation to the Critical Area Commission members and staff at the Smithsonian Environmental Research Center on October 16th. We were very gratified to hear of the Center's research on riparian forest buffers and nutrient uptake. As you know, research and education are important components of effective land use planning and implementation.

The Critical Area Commission members, staff and I appreciate your time and effort in participating in the tour of this outstanding facility. We enjoyed our visit and look forward to returning.

Very truly yours,

John C. North, II
Chairman

JCN/pm

cc: Mr. Ross Simons, SERC



JUDGE JOHN C. NORTH, II
CHAIRMAN
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**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

October 29, 1997

Ms. Ginger Ellis
Department of Planning
and Code Enforcement
P O Box 6675
Annapolis, Maryland 21401

Dear Ms. Ellis:

Thank you for your most informative presentation to the Critical Area Commission at the Smithsonian Environmental Research Center on October 16th. The Commission members were very gratified to hear of Anne Arundel County's diligence to implement effective Buffer protection and enforcement measures. Efforts by the County to educate the public and to increase awareness of the importance of the Buffer are impressive!

The Commission members' insight into the research projects at the Smithsonian Environmental Research Center that relate to shoreline impacts was greatly enhanced by the excellent view of Anne Arundel County's shoreline from the Maryland Independence. Research and education are important components of effective land use planning and implementation - the principal function of the Commission.

We enjoyed our time with you on the Chesapeake Bay learning about Anne Arundel County's Program and we congratulate you on your good works.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II". The signature is written in a cursive style with a large initial "J" and a long horizontal line at the end.

John C. North, II
Chairman

JCN,II/pm

cc: Mr. Steve Cover, Anne Arundel County

JUDGE JOHN C. NORTH, II
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**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

October 29, 1997

Captain Joseph P. Scharnus
Maryland Independence
Natural Resources Police
Maryland Department of Natural Resources
580 Taylor Avenue
Annapolis, Maryland 21401

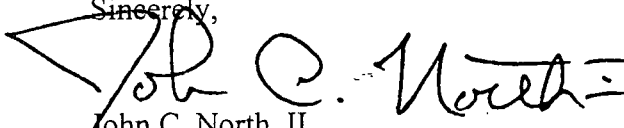
Dear Captain Scharnus:

The Critical Area Commission members and its staff and I greatly appreciate the very skilled and talented efforts of the crew of the Maryland Independence in providing transportation to the Smithsonian Environmental Research Center on October 16th, 1997. Your hospitality made this a very memorable occasion.

As you know, opportunities to learn about the Chesapeake Bay and to experience the diversity of this valuable resource are important components of the Critical Area Program and are essential to its effective implementation.

Thank you for a most enjoyable day. We look forward to sailing with you again! And, next summer when you are feeling especially energetic let me sign you up for a springboard on one of our log canoes.

With kindest personal regards.

Sincerely,

John C. North, II
Chairman

JCN/pm

cc: Colonel John W. Rhoads

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
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**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

October 29, 1997

Mr. Mark Haddon
Smithsonian Environmental Research Center
P O Box 28
Edgewater, Maryland 21037

Dear Mr. Haddon:

I appreciate your efforts in arranging the very interesting tour of the Smithsonian Environmental Research Center on October 16, 1997, as well as your kind coordination of the water shuttle from the Maryland Independence.

The Critical Area Commission members and staff were greatly impressed by the physical plant and grounds and by the diversity of your programs. Research and education are extremely important components of effective land use and planning - the principal functions of our Commission.

Many thanks for the opportunity to enjoy the diversity of the Chesapeake Bay ecosystem and to learn about the Center's ecosystem research. I hope we will have the privilege and pleasure of meeting at your facility again.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II". The signature is written in a cursive style with a large, stylized initial "J".

John C. North, II
Chairman

JCN/pm

cc: Mr. Ross Simons, SERC

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**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

October 18, 1996

Ms. Candace Keough
Events Planning
National Aquarium in Baltimore
Pier 3, 501 East Pratt Street
Baltimore, Maryland 21202

Dear Ms. Keough:

I appreciate your assistance in making arrangements for the Critical Area Commission's Fall Workshop on October 30, 1996. I am pleased that the workshop can be held at the Baltimore Aquarium where our group can see firsthand the significance of our efforts to maintain aquatic habitat and improve water quality. The Knott Harbor View Room provides a beautiful view of the Bay and will provide an excellent setting for our program. I look forward to meeting you on October 30, 1996.

Very truly yours,

A handwritten signature in cursive script that reads "John C. North, II".
John C. North, II
Chairman

JCN/jjd

cc: Mr. David Pittinger

CHAIRMAN
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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

October 21, 1997

The Honorable Richard F. Colburn
97th Legislative District
Mid-Shore Office
P O Box 1237
Cambridge, Maryland 21613

Re: Paul and Carole Kelley

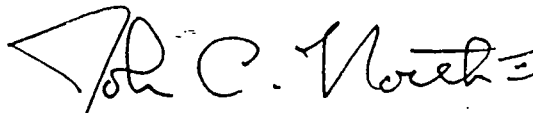
Dear Senator Colburn:

I am writing in response to your October 7, 1997 letter. Mr. and Mrs. Kelley applied for a variance to install a swimming pool within the 100-foot Buffer. The Critical Area Criteria and the Wicomico County Code both require that specific findings must be made before a variance can be granted. The Wicomico County Board of Zoning Appeals granted the Kelleys' variance without addressing the specific findings required. The Board stated that it would allow the pool to be placed within the Critical Area Buffer because "[f]or reasons of privacy and aesthetics, the Board does not feel it is appropriate to locate the pool in the front yard." This rationalization is entirely unacceptable and does not protect Chesapeake Bay resources as the Legislature has directed. Under these circumstances the Commission cannot support the Board's granting of a variance.

I regret that it is impossible for us to accommodate your constituent's wishes in this matter. As Vice-President Gore stated only yesterday, it is imperative for the health of the Bay that we maintain the buffer as pristine and undisturbed as possible.

With kindest personal regards and best wishes.

Very truly yours,


John C. North, II
Chairman

JCN,II/pm

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EXECUTIVE DIRECTOR
410-974-2418 /26
410-974-5338 FAX



WESTERN SHORE OFFICE
45 CALVERT ST., 2ND FLOOR
ANNAPOLIS, MARYLAND 21401

EASTERN SHORE OFFICE
31 CREAMERY LANE
EASTON, MARYLAND 21601

**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

October 18, 1996

Mrs. Eugene Guazzo
Willow Glen Farm
Maddox, Maryland 20621

Dear Mrs. Guazzo:

I appreciate your interest in the development taking place within the Critical Area in southern Maryland and your particular interest in the Asbury Project in Solomons. In response to your inquiries at the meeting with the Board of Appeals on October 2, Mary Owens met with Calvert County Planning staff and visited the project site on October 11. Following her site visit and research, Ms. Owens provided me with the following information about the project.

Prior to any development associated with the Asbury Project, the site had been intensively mined for gravel. The site was not forested, and the soils were of such poor quality and so unstable, that there was very little natural regeneration after the mining operation concluded. There was some shrub/scrub vegetation along the shoreline; however, erosion along the relatively steep bank was so severe that the vegetation was frequently destroyed by wave action or upland slumping. Photographs 1 through 4 show the condition of the site prior to development.

The developer of the project applied for and received growth allocation to change the Critical Area designation from Limited Development Area (LDA) to Intensely Developed Area (IDA). The project is located in the Solomons Town Center which is one of the areas where Calvert County is trying to concentrate growth and more intense land uses. Most of the land across the river from the site, in St. Mary's County, is designated LDA or RCA and is not located in one of St. Mary's County's Town Centers. This difference in Critical Area designation and County zoning accounts for some significant differences in the type and pattern of the development on each side of the Patuxent.

When the developer of the project approached Calvert County staff regarding shore erosion control, staff from the State Tidal Wetlands Division, the Army Corps of Engineers, and Calvert County Planning and Zoning met several times to discuss various options for shore erosion control. After exploring several options, Coastal Design and Construction, working with State and local government staff, designed a system of breakwaters, revetments, beach nourishment, and vegetation planting to address the complex and severe erosion problems at the

Mrs. Guazzo
October 18, 1996
Page Two


site. The design involved major reconstruction of the existing shoreline in order to remove highly erodible soils, contour the bank to a more stable slope, create a tidal marsh area planted with native grasses, and revegetate the newly contoured slope.

Although it appears from the St. Mary's County side that the shoreline is protected by an extensive stone bulkhead, most of the site is actually protected by noncontinuous breakwaters that are spaced about 200 feet apart. Photograph 6 shows one of the breakwaters. The breaks between these structures facilitate the maintenance and enhancement of a series of curved sandy beaches that are heavily planted and stabilized with native marsh grasses. These areas provide excellent habitat for a variety of aquatic species and the large areas of marsh grass behind them reduce wave energy and hold the sandy beach.

From the water, the bank appears to be severely cut back; however, the bank has been regraded to approximately a 15% slope and has been stabilized with grass and planted with native tree species. The newly planted trees are only 4 to 5 feet tall and are spaced roughly 15 to 20 feet apart; therefore, they are not very visible, unless you are actually on the site. The trees are a mixture of maples, oaks, and cedars, and numerous native shrubs have been planted as well. The reforestation has been bonded with the County to assure survival of the plantings. Photographs 5 and 6 show the contoured bank and the young trees. As the trees grow and mature, The Asbury Methodist Retirement Home in Solomons should become as attractive and ecologically sound as the ones that you are familiar with.

I hope this letter provides the explanation you are seeking regarding the reconstruction of the waterfront at Asbury. If you would like to see the site, Mary Owens is available to coordinate a site visit with the County staff at your convenience. If you would like to do so or have further questions, please feel free to contact me or Ms. Owens at (410) 974-2426.

Very truly yours,



John C. North, II
Chairman

JCN/jjd

cc: Mr. Eddie Dichter
Mr. Jon Grimm
Mr. Jay Hanks
Mr. Keith Lackie
Ms. Sue Veith

WILLOW GLEN FARM

MADDOX, MARYLAND 20621

TELEPHONE: 301/769-2272

RIVER HOUSE: 301/769-2653

October 4, 1996

The Hon. John C. North II, Chairman
Maryland State Critical Area Commission
Department of Natural Resources
Tawes State Building
Annapolis, Maryland 21401

Dear Judge North:

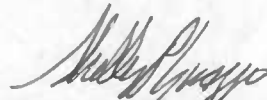
Thank you for coming, with your staff, to the meeting last Wednesday with the St. Mary's County Board of Appeals. The very clear and considered replies to all questions by you and Ren Serey were a delight to hear.

I have been a member of the Planning Commission for the past four years, and I was the person at the meeting who asked about "the eyesore" that is the reconstructed waterfront of the Asbury Methodist Retirement Home in Calvert County. You directed your staff to provide me with an explanation.

From the St. Mary's side, we look across the Patuxent at an extensive stone bulkhead some 2000+ feet long. It is topped by a severly cut back bank planted in grass. There are no trees or bushes in sight. I believe the home is open for occupancy, as I know someone who plans to move there this month.

Many people over the past two years have quizzed me about this seeming unequal application of the Critical Area Law. I am sure there is a reasonable answer. The standards and appearances of the Methodist retirement homes that I have known before have been far above average.

Sincerely yours,



Shelby P. Guazzo
(Mrs. Eugene Guazzo)

RECEIVED

OCT 7 1996

CHESAPEAKE BAY
CRITICAL AREA COMMISSION

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410- 820-5093 FAX



WESTERN SHORE OFFICE
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REN SEREY
EXECUTIVE DIRECTOR
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EASTERN SHORE OFFICE
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EASTON, MARYLAND 21601

**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

November 4, 1996

The Honorable Martha F. Rasin
Chief Judge
District Court of Maryland
Courts of Appeal Building
Annapolis, MD 21401

Dear Chief Judge Rasin:

Many thanks for sending the ancient textbook to me. This was my father's rather than mine. He gave it to Judge Sweeney many years ago for reasons which are now obscure.

I am remiss in failing to communicate until this late date my very sincere congratulations on your appointment as Judge Sweeney's successor. I know your father must be immensely proud.

Please convey my best wishes to Hilary.

Sincerely,

A handwritten signature in black ink that reads "John C. North, II". The signature is written in a cursive style with a large initial "J".

John C. North, II

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410- 820-5093 FAX

REN SEREY
EXECUTIVE DIRECTOR
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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

December 16, 1996

Dear Commission Member:

RE: Anne Arundel County Judicial Appeal /§ 8-1812(a) Notice

On December 13, 1996 we filed a Petition for Judicial Review stating our intent to appeal the case of Richard D. and Anne Marie White.

I believe that the decision of the Anne Arundel County Board of Appeals improperly applied the variance standards in this case and consequently overturned the decision of the administrative hearing officer. Richard D. And Anne Marie White applied for a variance to construct a swimming pool in the expanded Buffer for steep slopes in a Limited Development Area. Commission staff appeared before the Board of Appeals and opposed the location of the pool based on the five variance standards and the Habitat Protection Area criteria in COMAR 27.01.11.01 and 27.01.09.01. The Board of Appeals approved the requested variance.

In accordance with Natural Resources Article, §8-1812, Annotated Code of Maryland, copy enclosed, if you disapprove of my action in this case, please notify me in writing within 35 days after the date of this notice. As provided in §8-1812, if 13 members of the Commission indicate disapproval of my action in a timely manner, I shall withdraw the action initiated. Please note the other procedural safeguards set forth in §8-1812.

Thank you for your anticipated cooperation. The full Commission file on this matter is available at the Commission office for your review.

Very truly yours,

A handwritten signature in cursive script that reads "John C. North, II".
John C. North, II
Chairman

cc: Marianne D. Mason, Esquire

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 17 day of December, 1996, I mailed a copy of this §8-1812(a) Notice via first class mail, postage prepaid, to each member of the Chesapeake Bay Critical Area Commission.

Peggy G. Mickler
Peggy G. Mickler

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410-820-5093 FAX

REN SEREY
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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

December 16, 1996

Dear Commission Member:

RE: Anne Arundel County Judicial Appeal /§ 8-1812(a) Notice

On December 13, 1996 we filed a Response to Petition for Judicial Review stating our intent to participate in the appeal of Clarence and Gaye Ouellette, Civil Case No.C96-33215 AA.

I believe that the decision of the Anne Arundel County Board of Appeals properly applied the variance standards in this case and consequently denied the applicants their request. Clarence and Gaye Ouellette applied for a variance to construct a swimming pool in the expanded Buffer for steep slopes in a Limited Development Area. Commission staff appeared before the Board of Appeals and opposed the location of the pool based on the five variance standards and the Habitat Protection Area criteria in COMAR 27.01.11.01 and 27.01.09.01. The Board of Appeals denied the requested variance. Subsequently, the applicants have appealed to the Circuit Court.

In accordance with Natural Resources Article, §8-1812, Annotated Code of Maryland, copy enclosed, if you disapprove of my action in this case, please notify me in writing within 35 days after the date of this notice. As provided in §8-1812, if 13 members of the Commission indicate disapproval of my action in a timely manner, I shall withdraw the action initiated. Please note the other procedural safeguards set forth in §8-1812.

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Very truly yours,

A handwritten signature in cursive script that reads "John C. North, II".

John C. North, II
Chairman

cc: Marianne D. Mason, Esquire

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Peggy G. Mickler
Peggy G. Mickler

JUDGE JOHN C. NORTH, II
CHAIRMAN
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410-820-5093 FAX

REN SEREY
EXECUTIVE DIRECTOR
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**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

December 30, 1996

Mr. David Park
319 Wye Road
Queenstown MD 21652

Dear Mr. Park:

Governor Glendening has asked me to address the concerns you expressed about the possible expansion of the Chesapeake Village Outlet Mall in Queenstown. The area proposed for the expansion is, as you note, designated a Resource Conservation Area and any decision to allow an intensification of use will require a careful assessment of the environmental impacts to the Wye River's headwaters. That decision, however, is primarily in the hands of local government.

The Critical Area Act and its Criteria provide a mechanism called Growth Allocation to be used when a local government wishes to increase the intensity of development within the Critical Area. I have enclosed a short summary describing this process and the roles of local government and the Chesapeake Bay Critical Area Commission.

I recommend that you contact the County and the Town to find out more about possible development plans. If a formal development proposal is made, you should attend all local hearings to register your concerns.

If you have questions or need additional information, please contact Mr. Ren Serey or Ms. Theresa Corless of the Commission's staff. They can be reached at (410) 974-2426.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II".
John C. North, II
Chairman

A Local Government's Use of Growth Allocation

A local jurisdiction is authorized under the Critical Area Act to change a land use designation and allow development at a density or intensity which exceeds the limits of a site's original designation. A local government may use a portion of its growth allocation to change a designation from Resource Conservation Area to either Limited Development Area or Intensely Developed Area or to change a Limited Development Area to an Intensely Developed Area.

The following limitations apply to a local government's use of growth allocation:

- 1) A jurisdiction's growth allocation reserve consists of the number of acres representing five percent of its Resource Conservation Area lands, minus Federal property and tidal wetlands.
- 2) All Critical Area requirements relating to Habitat Protection Areas must be met regardless of the new land use designation.
- 3) A local jurisdiction must follow certain guidelines when deciding to change a Critical Area designation through the use of growth allocation. These guidelines provide that new development should be located:
 - * within or adjacent to existing developed areas;
 - * in an area and in a manner that optimizes benefits to water quality;
 - * at least 300 feet beyond the landward edge of tidal waters and tidal wetlands; and
 - * for new Intensely Developed Areas, that they are located where they minimize impacts to adjacent Resource Conservation Areas.
- 4) When growth allocation is approved by a local jurisdiction, the Commission must approve the change in land use designation as an amendment to the local program. The Commission's standard for review is that an amendment must be consistent with the goals and Criteria of the Critical Area Program.

Each jurisdiction within the Critical Area implements its own local program. Through its oversight role, the Critical Area Commission ensures that the proper amount of growth allocation acreage is deducted from a jurisdiction's reserve and that Habitat Protection Areas are properly identified and protected. Locational decisions are the purview of the local jurisdiction.

JUDGE JOHN C. NORTH, II
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**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

December 30, 1996

Mr. Erney Maher
Ms. Margaret C. Maher
914 Sportsman Neck Road
Queenstown MD 21658

Dear Mr. and Ms. Maher:

Governor Glendening has asked me to respond to your letter about the possible expansion of the Chesapeake Village Outlet Mall in Queenstown. As you note, the area proposed for development is within a Resource Conservation Area and that designation can be changed by action initiated by your local officials. The Critical Area Act and Criteria allow local governments to intensify the development status of areas within the Critical Area by using a portion of the jurisdiction's growth allocation. The decision to intensify development should be predicated on a careful assessment of the environmental impact to the Wye River's headwaters.

Please find attached a summary of the process entitled *A Local Government's Use of Growth Allocation*. It describes the roles of the local government requesting growth allocation and the Commission. It is important that you register your concerns locally. You should contact the County and the Town to find out more about possible development plans. Should a formal development proposal be put forward, I urge you to attend all local hearings.

If you have questions or need additional information, please contact Mr. Ren Serey or Theresa Corless of the Commission's staff. They can be reached at (410) 974-2426.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II". The signature is written in a cursive style and is positioned above the printed name and title.

John C. North, II
Chairman

A Local Government's Use of Growth Allocation

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Each jurisdiction within the Critical Area implements its own local program. Through its oversight role, the Critical Area Commission ensures that the proper amount of growth allocation acreage is deducted from a jurisdiction's reserve and that Habitat Protection Areas are properly identified and protected. Locational decisions are the purview of the local jurisdiction.

JUDGE JOHN C. NORTH, II
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EXECUTIVE DIRECTOR
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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

December 30, 1996

Mr. Fielding H. Lewis
Ms. Jacqueline F. Lewis
119 Wye River Drive
Queenstown, Maryland 21658

Dear Mr. and Ms. Lewis:

Governor Glendening has asked me to respond to your letter concerning the possible expansion of the Chesapeake Village Outlet Mall in Queenstown. Any decision to develop in this sensitive headwaters area must include a careful assessment of environmental impacts and strict compliance with development regulations and construction safeguards. Such a decision however, rests primarily with the local government.

The site is located within the Chesapeake Bay Critical Area. It is designated as a Resource Conservation Area. An intensive development project would require use of a portion of Queen Anne's County's growth allocation reserve. In the event of annexation, the Town of Queenstown would award growth allocation to the site. I have enclosed a short summary of the local decision-making process required for the use of growth allocation. The summary also describes the role of the Chesapeake Bay Critical Area Commission in approving growth allocation as an amendment to a local Critical Area program.

I recommend that you contact the County and the Town to find out more about possible development plans. If a formal development proposal is made, I recommend that you attend all local hearings to register your concerns.

If you have questions or need additional information, please contact Mr. Ren Serey or Ms. Theresa Corless of the Commission staff. They can be reached at (410) 974-2426.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II".

John C. North, II
Chairman

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Department of Natural Resources
Tawes State Office Building
Annapolis, Maryland 21401
(410) 974-3041

John R. Griffin
Secretary

Department of the Environment
2500 Broening Highway
Baltimore, Maryland 21224
(410) 631-3084

Jane T. Nishida
Secretary

The Honorable Ronald A. Guns, Chairman
Environmental Matters Committee
161 Lowe House Office Building
Annapolis, Maryland 21401-1991

Dear Chairman Guns:

As required by Chapter 525 of the Laws of Maryland (Senate Bill 566), the Maryland Department of the Environment (MDE) and the Chesapeake Bay Critical Area Commission (CBCAC) have jointly reviewed existing regulations for the construction of piers and bulkheads. Our review indicates that overlapping jurisdiction exists and, at times, results in duplicative evaluations.

MDE and CBCAC believe that the most effective way to eliminate regulatory duplication is for State and local governments to focus their respective reviews on activities for which they have expertise and primary interest. By implementing such a plan, the legal mandates of our programs would be met, the administrative burden for both the State and local government would be reduced through interagency cooperation; the regulatory response time would be improved; and the review process would be more predictable.

Our proposal is for the State, through MDE's Water Management Administration, to focus on resource issues and the local government, through the Critical Area Programs, local ordinances, and planning processes, to focus on issues related to zoning consistency, neighborhood compatibility, and other local concerns. More specifically, review for backfilling, grading, and related issues would be conducted at the local level through the Critical Area and other local ordinances. MDE would review bulkheads and piers in tidal waters for resource, navigation, and their related impacts. Property line setbacks, concerns involving neighborhood compatibility, and zoning issues, including Critical Area requirements for community piers, would be performed at the local level. Bulkheads landward of mean high water and tidal marsh would also be reviewed entirely by local governments.

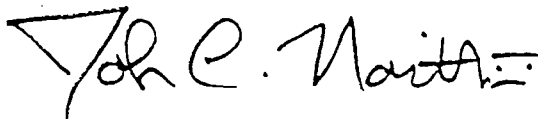
The Honorable Ronald A. Guns
Page 2

We trust that this procedure will satisfy the intent of this important legislation by eliminating duplicative review of piers and bulkheads. More importantly, the development of a State/local partnership that takes advantage of a particular expertise or similar regulatory requirement increases government efficiency, while continuing Maryland's strong commitment to resource protection, conservation and management. With your concurrence, we will proceed to formalize this strategy.

Sincerely,



J.L. Hearn
Director
Water Management Administration



John C. North, II
Chairman
Chesapeake Bay Critical Area Commission

JLH:GTS:RJA

cc: Secretary Jane T. Nishida
Secretary John R. Griffin
Jonas Jacobson

Department of Natural Resources
Tawes State Office Building
Annapolis, Maryland 21401
(410) 974-3041

John R. Griffin
Secretary

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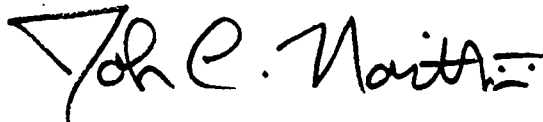
The Honorable Ronald A. Guns
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J.L. Hearn
Director
Water Management Administration



John C. North, II
Chairman
Chesapeake Bay Critical Area Commission

JLH:GTS:RJA

cc: Secretary Jane T. Nishida
Secretary John R. Griffin
Jonas Jacobson

JUDGE JOHN C. NORTH, II
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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

October 24, 1996

Dear Commission Members:

RE: Anne Arundel County Judicial Appeal/§
1812(a) Notice

On October 16, 1996 we filed a Notice of Appeal to the Anne Arundel County Board of Appeals in response to a decision made by the Administrative Hearing Officer for Anne Arundel County.

The case involves an after-the-fact variance to site a shed in the 100-foot Buffer. The administrative hearing officer granted the variance, I think erroneously, because he did not apply the five variance standards found in COMAR 27.01.11 and in the County's Program in Article 3, Title 2, 2-107. Commission staff provided written comments to the hearing officer opposing the location of the shed based on the COMAR 27.01.11.

In accordance with Natural Resources Article, §8-1812, Annotated Code of Maryland, if you disapprove of my action in this case, please notify me in writing within 35 days after the date of this notice. If 13 members of the Commission indicate disapproval of my action in a timely manner, I shall withdraw the action initiated.

Thank you for your anticipated cooperation. The full Commission file on this matter is available at the Commission office for your review.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II". The signature is stylized and written in a cursive-like font.

John C. North, II
Chairman

cc: Marianne D. Mason, Esquire

JUDGE JOHN C. NORTH, II
CHAIRMAN
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**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

October 25, 1994

The Honorable Ronald A. Guns, Chairman
Environmental Matters Committee
107 Railroad Avenue
Elkton, Maryland 21921

Dear Chairman Guns:

It was a pleasure to meet with you recently to discuss issues concerning the Critical Area Program. As you requested, I have examined the Commission's Growth Allocation procedures in relation to the hypothetical situation you described. The example provided to you suggested that the entirety of a 25 acre parcel in the Resource Conservation Area (RCA) would be deducted from a county's Growth Allocation reserve when only five acres are developed intensively. In such a situation, however, the proper deduction would involve just the five acre developed portion because 20 acres would remain in RCA use.

When Growth Allocation is used in the RCA, the 20-acre threshold is the key consideration in determining the amount of Growth Allocation to be deducted. If the non-developed portion of a Growth Allocation site were to fall below 20 acres, it would lose the characteristics for which it was originally designated RCA. This point can be illustrated by reversing the figures in your example: on the 25 acre parcel, if 20 acres were developed intensively, the remaining five acre area would be of insufficient size to function appropriately as an RCA. Thus, when the undeveloped portion of an RCA Growth Allocation parcel falls below 20 acres, the entire parcel is deducted.

We also discussed the Commission's four-year review of Talbot County's Critical Area Program and some of the outstanding issues. In the near future a panel of Commission members will meet with the Talbot County Planning Commission to review areas of disagreement between the County and the Commission. I am hopeful that through this and future meetings we can achieve resolutions that are acceptable to all parties.

As always, if you have further questions or need additional information, please contact me.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II".
John C. North, II
Chairman

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410-820-5093 FAX

REN SEREY
EXECUTIVE DIRECTOR
410-974-2418 /26
410-974-5338 FAX



WESTERN SHORE OFFICE
45 CALVERT ST., 2ND FLOOR
ANNAPOLIS, MARYLAND 21401

EASTERN SHORE OFFICE
31 CREAMERY LANE
EASTON, MARYLAND 21601

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

October 18, 1996

Dear Commission Member:

RE: Anne Arundel County Judicial Appeal/§ 8-1812(a) Notice

On October 16, 1996 we filed a Response to Petition for Judicial Review stating our intent to participate in the appeal of Elliott Gorbaty and Lenita Gorrell, Civil Case C96-31183 AA.

The Commission staff and I believe that the decision of the Anne Arundel County Board of Appeals properly applied the variance standards in this case and denied the applicants request. Elliott Gorbaty and Lenita Gorrell applied for an after-the-fact variance to construct a gazebo, deck and access stairs in the 100-foot Buffer on steep slopes in the Limited Development Area. Commission staff appeared before the Board of Appeals and opposed the location of the gazebo and deck in the Buffer, but did not oppose the access stairs. The Board of Appeals denied the request for the gazebo and deck to be located in the Buffer. Subsequently, the applicants have appealed to Circuit Court.

In accordance with Natural Resources Article, §8-1812, Annotated Code of Maryland, copy enclosed, if you disapprove of my action in this case, please notify me in writing within 35 days after the date of this notice. As provided in §8-1812, if 13 members of the Commission indicate disapproval of my action in a timely manner, I shall withdraw the action initiated. Please note the other procedural safeguards set forth in §8-1812.

Thank you for your anticipated cooperation. The full Commission file on this matter is available at the Commission office for your review.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II". The signature is stylized and written in a cursive-like font.

John C. North, II
Chairman

cc: Marianne D. Mason, Esquire

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 21st day of October, 1996, I mailed a copy of the this §8-1812(a) Notice via first class mail, postage prepaid, to each member of the Chesapeake Bay Critical Area Commission.

Peggy G. Mickler
Peggy G. Mickler

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410-820-5093 FAX

REN SEREY
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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

October 11, 1996

Dear Commission Member:

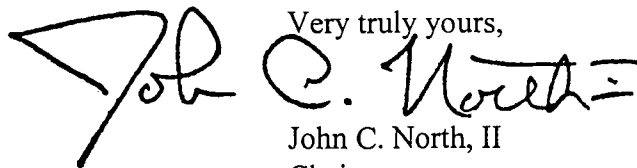
RE: Anne Arundel County Judicial Appeal /§ 8-1812(a) Notice

On September 25, 1996 we filed a Response to Petition for Judicial Review stating our intent to participate in the appeal of Frank and Patricia Citrano, Civil Case C96-31447 AA.

The Commission staff and I believe that the decision of the Anne Arundel County Board of Appeals properly applied the variance standards in this case and consequently denied the applicants their request. Frank and Patricia Citrano applied for an after-the-fact variance to construct a free-standing deck in the 100-foot Buffer on steep slopes in a Limited Development Area. Commission staff appeared before the Board of Appeals and opposed the location of the deck based on the five variance standards and the Habitat Protection Area criteria in COMAR 27.01.11.01 and 27.01.09.01. The Board of Appeals denied the requested variance. Subsequently, the applicants have appealed to the Circuit Court.

In accordance with Natural Resources Article, §8-1812, Annotated Code of Maryland, copy enclosed, if you disapprove of my action in this case, please notify me in writing within 35 days after the date of this notice. As provided in §8-1812, if 13 members of the Commission indicate disapproval of my action in a timely manner, I shall withdraw the action initiated. Please note the other procedural safeguards set forth in §8-1812.

Thank you for your anticipated cooperation. The full Commission file on this matter is available at the Commission office for your review.

Very truly yours,

John C. North, II
Chairman

cc: Marianne D. Mason, Esquire

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 11th day of October, 1996, I mailed a copy of this §8-1812(a) Notice via first class mail, postage prepaid, to each member of the Chesapeake Bay Critical Area Commission.

Peggy G. Mickler
Peggy G. Mickler

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410-820-5093 FAX

REN SEREY
EXECUTIVE DIRECTOR
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STATE OF MARYLAND
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EASTON, MARYLAND 21601

File

October 10, 1995

653-4219

*Pat says she
will follow upon
this - 11/13/95*

Superintendent David Mitchell
Maryland State Police
1201 Reisterstown Road
Pikesville, Maryland 21208

Dear Superintendent Mitchell:

I am writing to you for the purpose of suggesting that at the next State Police Academy graduation exercise that special recognition be afforded to Lieutenant Colonel Paul J. Randall, Retired.

I am enclosing a photo copy of a Proclamation issued earlier this year by the Talbot County Council honoring Colonel Randall. He is truly a man of great distinction but who is now beginning to show signs of his advanced years. I know that it would give him the most enormous pleasure if he could be recognized at the graduation ceremony and, perhaps, have the Talbot County Proclamation read aloud.

I do hope that you will be able to give this request your favorable consideration.

Very truly yours,

John C. North

John C. North, II

JUDGE JOHN C. NORTH, II
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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

October 19, 1995

Mr. William C. Livingston
Planning Director
P O Box 870
Salisbury, Maryland 21801

Dear Mr. Livingston:

A Comprehensive Review of a local jurisdiction's Critical Area Program is required by Law on the four-year anniversary date of the Program's local adoption. Wicomico County's anniversary date was October 13, 1993. Critical Area Commission staff provided review comments to the County on July 31, 1995.

Requirements for the Comprehensive Review are detailed in Natural Resources Article §8-1809(g). The following information is required: 1) a statement certifying that the required review has been accomplished; 2) any necessary requests for program amendments, program refinements, or other matters that the local jurisdiction wishes the Commission to consider; 3) an updated resource inventory; and 4) a statement quantifying acreages within each land classification, the growth allocation used, and the growth allocation remaining.

As of this writing, the Commission has not received the County's Comprehensive Review. Please notify the Commission of the anticipated time frame needed to complete the Review, and the anticipated date of submittal.

We will appreciate your cooperation, and if Commission staff can further assist you with this matter, please do not hesitate to contact this office.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II".
John C. North, II
Chairman

JCN/PJP/jjd

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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

October 19, 1995

Dr. David Brownlee
Director of Planning and Zoning
Courthouse Annex
Prince Frederick, Maryland 20678

Dear Dr. Brownlee:

A Comprehensive Review of a local jurisdiction's Critical Area Program is required by Law on the four-year anniversary date of the Program's local adoption. Calvert County's anniversary date was December 20, 1992. Critical Area Commission staff provided review comments to the County in November, 1993.

Requirements for the Comprehensive Review are detailed in Natural Resources Article §8-1809(g). The following information is required: 1) a statement certifying that the required review has been accomplished; 2) any necessary requests for program amendments, program refinements, or other matters that the local jurisdiction wishes the Commission to consider; 3) an updated resource inventory; and 4) a statement quantifying acreages within each land classification, the growth allocation used, and the growth allocation remaining.

As of this writing, the Commission has not received the County Comprehensive Review. Please notify the Commission of the anticipated time frame needed to complete the Review, and the anticipated date of submittal.

We will appreciate your cooperation, and if Commission staff can further assist you with this matter, please do not hesitate to contact this office.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II".
John C. North, II
Chairman

JCN/PJP/jjd

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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

October 19, 1995

Ms. Jean Weisman
P O Box 206
St. Michaels, Maryland 21663-0206

Dear Ms. Weisman:

A Comprehensive Review of a local jurisdiction's Critical Area Program is required by Law on the four-year anniversary date of the Program's local adoption. St. Michaels' anniversary date was May 31, 1992. Critical Area Commission staff provided review comments to the Town on August 24, 1993.

Requirements for the Comprehensive Review are detailed in Natural Resources Article §8-1809(g). The following information is required: 1) a statement certifying that the required review has been accomplished; 2) any necessary requests for program amendments, program refinements, or other matters that the local jurisdiction wishes the Commission to consider; 3) an updated resource inventory; and 4) a statement quantifying acreages within each land classification, the growth allocation used, and the growth allocation remaining.

As of this writing, the Commission has not received the Town's Comprehensive Review. Please notify the Commission of the anticipated time frame needed to complete the Review, and the anticipated date of submittal.

We will appreciate your cooperation, and if Commission staff can further assist you with this matter, please do not hesitate to contact this office.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II". The signature is written in a cursive style with a large initial "J".

John C. North, II
Chairman

JCN/PJP/jjd

JUDGE JOHN C. NORTH, II
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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

October 19, 1995

Mr. Stanley T. Rucklewicz
711 Pennington Avenue
Havre de Grace, Maryland 21078

Dear Mr. Rucklewicz:

A Comprehensive Review of a local jurisdiction's Critical Area Program is required by Law on the four-year anniversary date of the Program's local adoption. Havre de Grace's anniversary date was June 27, 1992. Critical Area Commission staff provided review comments to the City on June 1, 1993.

Requirements for the Comprehensive Review are detailed in Natural Resources Article §8-1809(g). The following information is required: 1) a statement certifying that the required review has been accomplished; 2) any necessary requests for program amendments, program refinements, or other matters that the local jurisdiction wishes the Commission to consider; 3) an updated resource inventory; and 4) a statement quantifying acreages within each land classification, the growth allocation used, and the growth allocation remaining.

As of this writing, the Commission has not received the City's Comprehensive Review. Please notify the Commission of the anticipated time frame needed to complete the Review, and the anticipated date of submittal.

We will appreciate your cooperation, and if Commission staff can further assist you with this matter, please do not hesitate to contact this office.

Very truly yours,

A handwritten signature in black ink, appearing to read 'John C. North, II', written over a printed name and title.
John C. North, II
Chairman

JCN/PJP/jjd

JUDGE JOHN C. NORTH, II
CHAIRMAN
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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

October 19, 1995

Mr. Robin Guyther
P O Box 1
206 Tudor Place
Leonardtown, Maryland 20650

Dear Mr. Guyther:

A Comprehensive Review of a local jurisdiction's Critical Area Program is required by Law on the four-year anniversary date of the Program's local adoption. Leonardtown's anniversary date was November 14, 1992. Critical Area Commission staff provided review comments to the Town on July 12, 1993.

Requirements for the Comprehensive Review are detailed in Natural Resources Article §8-1809(g). The following information is required: 1) a statement certifying that the required review has been accomplished; 2) any necessary requests for program amendments, program refinements, or other matters that the local jurisdiction wishes the Commission to consider; 3) an updated resource inventory; and 4) a statement quantifying acreages within each land classification, the growth allocation used, and the growth allocation remaining.

As of this writing, the Commission has not received the Town's Comprehensive Review. Please notify the Commission of the anticipated time frame needed to complete the Review, and the anticipated date of submittal.

We will appreciate your cooperation, and if Commission staff can further assist you with this matter, please do not hesitate to contact this office.

Very truly yours,

Handwritten signature of John C. North, II in black ink.
John C. North, II
Chairman

JCN/PJP/jjd

JUDGE JOHN C. NORTH, II
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410-822-9047 OR 410-974-2418
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31 CREAMERY LANE
EASTON, MARYLAND 21601

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

October 19, 1995

Mr. J. Michael Downes
Town Manager
P O Box 367
Rock Hall, Maryland 21661

Dear Mr. Downes:

A Comprehensive Review of a local jurisdiction's Critical Area Program is required by Law on the four-year anniversary date of the Program's local adoption. Rock Hall's anniversary date was July 21, 1992. Critical Area Commission staff provided review comments to the Town on March 28, 1994.

Requirements for the Comprehensive Review are detailed in Natural Resources Article §8-1809(g). The following information is required: 1) a statement certifying that the required review has been accomplished; 2) any necessary requests for program amendments, program refinements, or other matters that the local jurisdiction wishes the Commission to consider; 3) an updated resource inventory; and 4) a statement quantifying acreages within each land classification, the growth allocation used, and the growth allocation remaining.

As of this writing, the Commission has not received the Town's Comprehensive Review. Please notify the Commission of the anticipated time frame needed to complete the Review, and the anticipated date of submittal.

We will appreciate your cooperation, and if Commission staff can further assist you with this matter, please do not hesitate to contact this office.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II".

John C. North, II
Chairman

JCN/PJP/jjd

JUDGE JOHN C. NORTH, II
CHAIRMAN
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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

October 19, 1995

Mr. Joseph Mangini
Town Manager
1107 Strauss Avenue
Indian Head, Maryland 20640

Dear Mr. Mangini:

A Comprehensive Review of a local jurisdiction's Critical Area Program is required by Law on the four-year anniversary date of the Program's local adoption. Indian Head's anniversary date was April 3, 1993. Critical Area Commission staff are in the process of reviewing local Programs and providing review comments to local jurisdictions to assist them with their Comprehensive Reviews; however, staff have not yet been able to review Indian Head's Program. Despite this fact, I would like to encourage the Town to initiate or continue its work on the Review.

Requirements for the Comprehensive Review are detailed in Natural Resources Article §8-1809(g). The following information is required: 1) a statement certifying that the required review has been accomplished; 2) any necessary requests for program amendments, program refinements, or other matters that the local jurisdiction wishes the Commission to consider; 3) an updated resource inventory; and 4) a statement quantifying acreages within each land classification, the growth allocation used, and the growth allocation remaining.

Please notify the Commission of the status of the Review, and the anticipated time frame needed to complete the Review. Commission staff will strive to assist you as much as possible.

We will appreciate your cooperation, and look forward to hearing from you.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II".
John C. North, II
Chairman

JCN/PJP/jjd

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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

October 19, 1995

Ms. Karen L. Bryan
Zoning Administrator
Box 400, 8200 Bayside Road
Chesapeake Beach, Maryland 20732

Dear Ms. Bryan:

A Comprehensive Review of a local jurisdiction's Critical Area Program is required by Law on the four-year anniversary date of the Program's local adoption. Chesapeake Beach's anniversary date was January 11, 1994. Critical Area Commission staff are in the process of reviewing local Programs and providing review comments to local jurisdictions to assist them with their Comprehensive Reviews; however, staff have not yet been able to review Chesapeake Beach's Program. Despite this fact, I would like to encourage the Town to initiate or continue its work on the Review.

Requirements for the Comprehensive Review are detailed in Natural Resources Article §8-1809(g). The following information is required: 1) a statement certifying that the required review has been accomplished; 2) any necessary requests for program amendments, program refinements, or other matters that the local jurisdiction wishes the Commission to consider; 3) an updated resource inventory; and 4) a statement quantifying acreages within each land classification, the growth allocation used, and the growth allocation remaining.

Please notify the Commission of the status of the Review, and the anticipated time frame needed to complete the Review. Commission staff will strive to assist you as much as possible.

We will appreciate your cooperation, and look forward to hearing from you.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II".
John C. North, II
Chairman

JCN/PJP/jjd

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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

October 19, 1995

Mr. William S. Ingersoll
118 North Cross Street
Chestertown, Maryland 21620

Dear Mr. Ingersoll:

A Comprehensive Review of a local jurisdiction's Critical Area Program is required by Law on the four-year anniversary date of the Program's local adoption. Chestertown's anniversary date was February 5, 1993. Critical Area Commission staff are in the process of reviewing local Programs and providing review comments to local jurisdictions to assist them with their Comprehensive Reviews; however, staff have not yet been able to review Chestertown's Program. Despite this fact, I would like to encourage the Town to initiate or continue its work on the Review.

Requirements for the Comprehensive Review are detailed in Natural Resources Article §8-1809(g). The following information is required: 1) a statement certifying that the required review has been accomplished; 2) any necessary requests for program amendments, program refinements, or other matters that the local jurisdiction wishes the Commission to consider; 3) an updated resource inventory; and 4) a statement quantifying acreages within each land classification, the growth allocation used, and the growth allocation remaining.

Please notify the Commission of the status of the Review, and the anticipated time frame needed to complete the Review. Commission staff will strive to assist you as much as possible.

We will appreciate your cooperation, and look forward to hearing from you.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II".

John C. North, II
Chairman

JCN/PJP/jjd

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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

October 19, 1995

Ms. Elizabeth Krempasky
Courthouse
P O Box 207
Denton, Maryland 21629

Dear Ms. Krempasky:

A Comprehensive Review of a local jurisdiction's Critical Area Program is required by Law on the four-year anniversary date of the Program's local adoption. Caroline County's anniversary date was January 1, 1994. Critical Area Commission staff are in the process of reviewing County's Critical Area Program and will be providing you with review comments in the near future. It is our intention that these comments serve to identify mistakes or deficiencies in the Program and assist you with the Comprehensive Review.

Requirements for the Comprehensive Review are detailed in Natural Resources Article §8-1809(g). The following information is required: 1) a statement certifying that the required review has been accomplished; 2) any necessary requests for program amendments, program refinements, or other matters that the local jurisdiction wishes the Commission to consider; 3) an updated resource inventory; and 4) a statement quantifying acreages within each land classification, the growth allocation used, and the growth allocation remaining.

Once you have received the Commission's review comments, please notify us of the anticipated time frame needed to complete the Review, and the anticipated date of submittal. Commission staff will strive to assist you as much as possible.

We will appreciate your cooperation, and look forward to hearing from you.

Very truly yours,

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John C. North, II
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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

October 19, 1995

Ms. Theresa Dowd
Planning and Zoning
160 Duke of Gloucester Street
Annapolis, Maryland 21401

Dear Ms. Dowd:

A Comprehensive Review of a local jurisdiction's Critical Area Program is required by Law on the four-year anniversary date of the Program's local adoption. Annapolis' anniversary date was February 13, 1993. Critical Area Commission staff are in the process of reviewing City's Critical Area Program and will be providing you with review comments in the near future. It is our intention that these comments serve to identify mistakes or deficiencies in the Program and assist you with the Comprehensive Review.

Requirements for the Comprehensive Review are detailed in Natural Resources Article §8-1809(g). The following information is required: 1) a statement certifying that the required review has been accomplished; 2) any necessary requests for program amendments, program refinements, or other matters that the local jurisdiction wishes the Commission to consider; 3) an updated resource inventory; and 4) a statement quantifying acreages within each land classification, the growth allocation used, and the growth allocation remaining.

Once you have received the Commission's review comments, please notify us of the anticipated time frame needed to complete the Review, and the anticipated date of submittal. Commission staff will strive to assist you as much as possible.

We will appreciate your cooperation, and look forward to hearing from you.

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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

October 19, 1995

Ms. Sue Veith
Department of Planning and Zoning
P O Box 3000, 328 Washington Street
Leonardtwn, Maryland 20650

Dear Ms. Veith:

A Comprehensive Review of a local jurisdiction's Critical Area Program is required by Law on the four-year anniversary date of the Program's local adoption. St. Mary's County's anniversary date was March 27, 1994. Critical Area Commission staff are in the process of reviewing County's Critical Area Program and will be providing you with review comments in the near future. It is our intention that these comments serve to identify mistakes or deficiencies in the Program and assist you with the Comprehensive Review.

Requirements for the Comprehensive Review are detailed in Natural Resources Article §8-1809(g). The following information is required: 1) a statement certifying that the required review has been accomplished; 2) any necessary requests for program amendments, program refinements, or other matters that the local jurisdiction wishes the Commission to consider; 3) an updated resource inventory; and 4) a statement quantifying acreages within each land classification, the growth allocation used, and the growth allocation remaining.

Once you have received the Commission's review comments, please notify us of the anticipated time frame needed to complete the Review, and the anticipated date of submittal. Commission staff will strive to assist you as much as possible.

We will appreciate your cooperation, and look forward to hearing from you.

Very truly yours,

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John C. North, II
Chairman

JCN/PJP/jjd

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410- 820-5093 FAX

REN SEREY
EXECUTIVE DIRECTOR
410-974-2418 /26
410-974-5338 FAX



WESTERN SHORE OFFICE
45 CALVERT ST., 2ND FLOOR
ANNAPOLIS, MARYLAND 21401

EASTERN SHORE OFFICE
31 CREAMERY LANE
EASTON, MARYLAND 21601

**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

October 19, 1995

Ms. Amy Moore
P O Box 4
Queenstown, Maryland 21658

Dear Ms. Moore:

A Comprehensive Review of a local jurisdiction's Critical Area Program is required by Law on the four-year anniversary date of the Program's local adoption. Queenstown's anniversary date was January 17, 1993. Critical Area Commission staff are in the process of reviewing local Programs and providing review comments to local jurisdictions to assist them with their Comprehensive Reviews; however, staff have not yet been able to review Queenstown's Program. Despite this fact, I would like to encourage the Town to initiate or continue its work on the Review.

Requirements for the Comprehensive Review are detailed in Natural Resources Article §8-1809(g). The following information is required: 1) a statement certifying that the required review has been accomplished; 2) any necessary requests for program amendments, program refinements, or other matters that the local jurisdiction wishes the Commission to consider; 3) an updated resource inventory; and 4) a statement quantifying acreages within each land classification, the growth allocation used, and the growth allocation remaining.

Please notify the Commission of the status of the Review, and the anticipated time frame needed to complete the Review. Commission staff will strive to assist you as much as possible.

We will appreciate your cooperation, and look forward to hearing from you.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II".
John C. North, II
Chairman

JCN/PJP/jjd

cc: Mr. Roby Hurley

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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

October 19, 1995

Ms. Tina Walter
Department of Public Works
307 Gay Street
Cambridge, Maryland 21613

Dear Ms. Walter:

A Comprehensive Review of a local jurisdiction's Critical Area Program is required by Law on the four-year anniversary date of the Program's local adoption. Cambridge's anniversary date was October 10, 1992. Critical Area Commission staff are in the process of reviewing City's Critical Area Program and will be providing you with review comments in the near future. It is our intention that these comments serve to identify mistakes or deficiencies in the Program and assist you with the Comprehensive Review.

Requirements for the Comprehensive Review are detailed in Natural Resources Article §8-1809(g). The following information is required: 1) a statement certifying that the required review has been accomplished; 2) any necessary requests for program amendments, program refinements, or other matters that the local jurisdiction wishes the Commission to consider; 3) an updated resource inventory; and 4) a statement quantifying acreages within each land classification, the growth allocation used, and the growth allocation remaining.

Once you have received the Commission's review comments, please notify us of the anticipated time frame needed to complete the Review, and the anticipated date of submittal. Commission staff will strive to assist you as much as possible.

We will appreciate your cooperation, and look forward to hearing from you.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II".

John C. North, II
Chairman

JCN/PJP/jjd
cc: Mr. Roby Hurley

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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

October 19, 1995

Ms. Denise Rose
Town Manager
P O Box 100, 101 Lawyers Row
Centreville, Maryland 21617

Dear Ms. Rose:

A Comprehensive Review of a local jurisdiction's Critical Area Program is required by Law on the four-year anniversary date of the Program's local adoption. Centreville's anniversary date was August 23, 1993. Critical Area Commission staff are in the process of reviewing local Programs and providing review comments to local jurisdictions to assist them with their Comprehensive Reviews; however, staff have not yet been able to review Centreville's Program. Despite this fact, I would like to encourage the Town to initiate or continue its work on the Review.

Requirements for the Comprehensive Review are detailed in Natural Resources Article §8-1809(g). The following information is required: 1) a statement certifying that the required review has been accomplished; 2) any necessary requests for program amendments, program refinements, or other matters that the local jurisdiction wishes the Commission to consider; 3) an updated resource inventory; and 4) a statement quantifying acreages within each land classification, the growth allocation used, and the growth allocation remaining.

Please notify the Commission of the status of the Review, and the anticipated time frame needed to complete the Review. Commission staff will strive to assist you as much as possible.

We will appreciate your cooperation, and look forward to hearing from you.

Very truly yours,

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John C. North, II
Chairman

JCN/PJP/jjd
cc: Mr. Roby Hurley

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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

October 19, 1995

Ms. Loretta Gannon
Zoning and Codes Administrator
13 N. Third Street
Denton, Maryland 21629

Dear Ms. Gannon:

A Comprehensive Review of a local jurisdiction's Critical Area Program is required by Law on the four-year anniversary date of the Program's local adoption. Denton's anniversary date was April 23, 1993. Critical Area Commission staff are in the process of reviewing local Programs and providing review comments to local jurisdictions to assist them with their Comprehensive Reviews; however, staff have not yet been able to review Denton's Program. Despite this fact, I would like to encourage the Town to initiate or continue its work on the Review.

Requirements for the Comprehensive Review are detailed in Natural Resources Article §8-1809(g). The following information is required: 1) a statement certifying that the required review has been accomplished; 2) any necessary requests for program amendments, program refinements, or other matters that the local jurisdiction wishes the Commission to consider; 3) an updated resource inventory; and 4) a statement quantifying acreages within each land classification, the growth allocation used, and the growth allocation remaining.

Please notify the Commission of the status of the Review, and the anticipated time frame needed to complete the Review. Commission staff will strive to assist you as much as possible.

We will appreciate your cooperation, and look forward to hearing from you.

Very truly yours,

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John C. North, II
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CHESAPEAKE BAY CRITICAL AREA COMMISSION

October 19, 1995

Ms. Shirley DeShields
103 South Main Street
Federalsburg, Maryland 21632

Dear Ms. DeShields:

A Comprehensive Review of a local jurisdiction's Critical Area Program is required by Law on the four-year anniversary date of the Program's local adoption. Federalsburg's anniversary date was March 6, 1993. Critical Area Commission staff are in the process of reviewing local Programs and providing review comments to local jurisdictions to assist them with their Comprehensive Reviews; however, staff have not yet been able to review Federalsburg's Program. Despite this fact, I would like to encourage the Town to initiate or continue its work on the Review.

Requirements for the Comprehensive Review are detailed in Natural Resources Article §8-1809(g). The following information is required: 1) a statement certifying that the required review has been accomplished; 2) any necessary requests for program amendments, program refinements, or other matters that the local jurisdiction wishes the Commission to consider; 3) an updated resource inventory; and 4) a statement quantifying acreages within each land classification, the growth allocation used, and the growth allocation remaining.

Please notify the Commission of the status of the Review, and the anticipated time frame needed to complete the Review. Commission staff will strive to assist you as much as possible.

We will appreciate your cooperation, and look forward to hearing from you.

Very truly yours,

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John C. North, II
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JCN/PJP/jjd

cc: Mr. Roby Hurley

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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

October 19, 1995

Ms. Neda Owens
P O Box 270, City Hall, Main Street
Crisfield, Maryland 21817

Dear Ms. Owens:

A Comprehensive Review of a local jurisdiction's Critical Area Program is required by Law on the four-year anniversary date of the Program's local adoption. Crisfield's anniversary date was December 26, 1992. Critical Area Commission staff are in the process of reviewing local Programs and providing review comments to local jurisdictions to assist them with their Comprehensive Reviews; however, staff have not yet been able to review Crisfield's Program. Despite this fact, I would like to encourage the City to initiate or continue its work on the Review.

Requirements for the Comprehensive Review are detailed in Natural Resources Article §8-1809(g). The following information is required: 1) a statement certifying that the required review has been accomplished; 2) any necessary requests for program amendments, program refinements, or other matters that the local jurisdiction wishes the Commission to consider; 3) an updated resource inventory; and 4) a statement quantifying acreages within each land classification, the growth allocation used, and the growth allocation remaining.

Please notify the Commission of the status of the Review, and the anticipated time frame needed to complete the Review. Commission staff will strive to assist you as much as possible.

We will appreciate your cooperation, and look forward to hearing from you.

Very truly yours,

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John C. North, II
Chairman

JCN/PJP/jjd

cc: Ms. Karen Phillips

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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

October 19, 1995

Ms. Mary Lou Gloecker
P O Box 340
118 N. Main Street
Greensboro, Maryland 21639

Dear Ms. Gloecker:

A Comprehensive Review of a local jurisdiction's Critical Area Program is required by Law on the four-year anniversary date of the Program's local adoption. Greensboro's anniversary date was June 11, 1994. Critical Area Commission staff are in the process of reviewing local Programs and providing review comments to local jurisdictions to assist them with their Comprehensive Reviews; however, staff have not yet been able to review Greensboro's Program. Despite this fact, I would like to encourage the Town to initiate or continue its work on the Review.

Requirements for the Comprehensive Review are detailed in Natural Resources Article §8-1809(g). The following information is required: 1) a statement certifying that the required review has been accomplished; 2) any necessary requests for program amendments, program refinements, or other matters that the local jurisdiction wishes the Commission to consider; 3) an updated resource inventory; and 4) a statement quantifying acreages within each land classification, the growth allocation used, and the growth allocation remaining.

Please notify the Commission of the status of the Review, and the anticipated time frame needed to complete the Review. Commission staff will strive to assist you as much as possible.

We will appreciate your cooperation, and look forward to hearing from you.

Very truly yours,

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John C. North, II
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cc: Mr. Roby Hurley

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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

October 19, 1995

The Honorable Ronald A. Stafford
The Commissioners of Hillsboro
P O Box 128
Hillsboro, Maryland 21641

Dear President Stafford:

A Comprehensive Review of a local jurisdiction's Critical Area Program is required by Law on the four-year anniversary date of the Program's local adoption. Hillsboro's anniversary date was February 27, 1993. Critical Area Commission staff are in the process of reviewing local Programs and providing review comments to local jurisdictions to assist them with their Comprehensive Reviews; however, staff have not yet been able to review Hillsboro's Program. Despite this fact, I would like to encourage the Town to initiate or continue its work on the Review.

Requirements for the Comprehensive Review are detailed in Natural Resources Article §8-1809(g). The following information is required: 1) a statement certifying that the required review has been accomplished; 2) any necessary requests for program amendments, program refinements, or other matters that the local jurisdiction wishes the Commission to consider; 3) an updated resource inventory; and 4) a statement quantifying acreages within each land classification, the growth allocation used, and the growth allocation remaining.

Please notify the Commission of the status of the Review, and the anticipated time frame needed to complete the Review. Commission staff will strive to assist you as much as possible.

We will appreciate your cooperation, and look forward to hearing from you.

Very truly yours,

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John C. North, II
Chairman

JCN/PJP/jjd
cc: Mr. Roby Hurley

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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

October 19, 1995

Ms. Linda Chelton
11786 Beckford Avenue
Princess Anne, Maryland 21853

Dear Ms. Chelton:

A Comprehensive Review of a local jurisdiction's Critical Area Program is required by Law on the four-year anniversary date of the Program's local adoption. Princess Anne's anniversary date was December 25, 1992. Critical Area Commission staff are in the process of reviewing local Programs and providing review comments to local jurisdictions to assist them with their Comprehensive Reviews; however, staff have not yet been able to review Princess Anne's Program. Despite this fact, I would like to encourage the Town to initiate or continue its work on the Review.

Requirements for the Comprehensive Review are detailed in Natural Resources Article §8-1809(g). The following information is required: 1) a statement certifying that the required review has been accomplished; 2) any necessary requests for program amendments, program refinements, or other matters that the local jurisdiction wishes the Commission to consider; 3) an updated resource inventory; and 4) a statement quantifying acreages within each land classification, the growth allocation used, and the growth allocation remaining.

Please notify the Commission of the status of the Review, and the anticipated time frame needed to complete the Review. Commission staff will strive to assist you as much as possible.

We will appreciate your cooperation, and look forward to hearing from you.

Very truly yours,

A handwritten signature in black ink that reads 'John C. North, II'.

John C. North, II
Chairman

JCN/PJP/jjd

cc: Ms. Karen Phillips

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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

October 19, 1995

Ms. Dorothy Sheehan
P O Box 365
Queen Anne, Maryland 21657

Dear Ms. Sheehan:

A Comprehensive Review of a local jurisdiction's Critical Area Program is required by Law on the four-year anniversary date of the Program's local adoption. Queen Anne's anniversary date was September 12, 1993. Critical Area Commission staff are in the process of reviewing local Programs and providing review comments to local jurisdictions to assist them with their Comprehensive Reviews; however, staff have not yet been able to review Queen Anne's Program. Despite this fact, I would like to encourage the Town to initiate or continue its work on the Review.

Requirements for the Comprehensive Review are detailed in Natural Resources Article §8-1809(g). The following information is required: 1) a statement certifying that the required review has been accomplished; 2) any necessary requests for program amendments, program refinements, or other matters that the local jurisdiction wishes the Commission to consider; 3) an updated resource inventory; and 4) a statement quantifying acreages within each land classification, the growth allocation used, and the growth allocation remaining.

Please notify the Commission of the status of the Review, and the anticipated time frame needed to complete the Review. Commission staff will strive to assist you as much as possible.

We will appreciate your cooperation, and look forward to hearing from you.

Very truly yours,

Handwritten signature of John C. North, II in cursive script.
John C. North, II
Chairman

JCN/PJP/jjd

Mr. Roby Hurley

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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

October 19, 1995

The Honorable Robert W. Peters
P O Box 248
Secretary, Maryland 21664

Dear Mayor Peters:

A Comprehensive Review of a local jurisdiction's Critical Area Program is required by Law on the four-year anniversary date of the Program's local adoption. Secretary's anniversary date was October 16, 1992. Critical Area Commission staff are in the process of reviewing local Programs and providing review comments to local jurisdictions to assist them with their Comprehensive Reviews; however, staff have not yet been able to review Secretary's Program. Despite this fact, I would like to encourage the Town to initiate or continue its work on the Review.

Requirements for the Comprehensive Review are detailed in Natural Resources Article §8-1809(g). The following information is required: 1) a statement certifying that the required review has been accomplished; 2) any necessary requests for program amendments, program refinements, or other matters that the local jurisdiction wishes the Commission to consider; 3) an updated resource inventory; and 4) a statement quantifying acreages within each land classification, the growth allocation used, and the growth allocation remaining.

Please notify the Commission of the status of the Review, and the anticipated time frame needed to complete the Review. Commission staff will strive to assist you as much as possible.

We will appreciate your cooperation, and look forward to hearing from you.

Very truly yours,

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John C. North, II
Chairman

JCN/PJP/jjd

cc: Ms. Karen Phillips

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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

October 19, 1995

Ms. Sandy Pacella
Municipal Building
P O Box 348
Snow Hill, Maryland 21863

Dear Ms. Pacella:

A Comprehensive Review of a local jurisdiction's Critical Area Program is required by Law on the four-year anniversary date of the Program's local adoption. Snow Hill's anniversary date was January 2, 1994. Critical Area Commission staff are in the process of reviewing local Programs and providing review comments to local jurisdictions to assist them with their Comprehensive Reviews; however, staff have not yet been able to review Snow Hill's Program. Despite this fact, I would like to encourage the Town to initiate or continue its work on the Review.

Requirements for the Comprehensive Review are detailed in Natural Resources Article §8-1809(g). The following information is required: 1) a statement certifying that the required review has been accomplished; 2) any necessary requests for program amendments, program refinements, or other matters that the local jurisdiction wishes the Commission to consider; 3) an updated resource inventory; and 4) a statement quantifying acreages within each land classification, the growth allocation used, and the growth allocation remaining.

Please notify the Commission of the status of the Review, and the anticipated time frame needed to complete the Review. Commission staff will strive to assist you as much as possible.

We will appreciate your cooperation, and look forward to hearing from you.

Very truly yours,

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John C. North, II
Chairman

JCN/PJP/jjd
cc: Ms. Karen Phillips

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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

October 19, 1995

Mr. Stanley Hearne
Town Administrator
P O Box 154, 241 Market Street
Charlestown, Maryland 21914

Dear Mr. Hearne:

A Comprehensive Review of a local jurisdiction's Critical Area Program is required by Law on the four-year anniversary date of the Program's local adoption. Charlestown's anniversary date was June 13, 1992. Critical Area Commission staff provided review comments to the Town on February 8, 1993.

Requirements for the Comprehensive Review are detailed in Natural Resources Article §8-1809(g). The following information is required: 1) a statement certifying that the required review has been accomplished; 2) any necessary requests for program amendments, program refinements, or other matters that the local jurisdiction wishes the Commission to consider; 3) an updated resource inventory; and 4) a statement quantifying acreages within each land classification, the growth allocation used, and the growth allocation remaining.

As of this writing, the Commission has not received the Town's Comprehensive Review. Please notify the Commission of the anticipated time frame needed to complete the Review, and the anticipated date of submittal.

We will appreciate your cooperation, and if Commission staff can further assist you with this matter, please do not hesitate to contact this office.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II".

John C. North, II
Chairman

JCN/PJP/jjd

cc: Ms. Mary Ann Skilling

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CHESAPEAKE BAY CRITICAL AREA COMMISSION

October 19, 1995

Mr. Paul H. Kozloski
Town Administrator
P O Box 95
Port Deposit, Maryland 21904

Dear Mr. Kozloski:

A Comprehensive Review of a local jurisdiction's Critical Area Program is required by Law on the four-year anniversary date of the Program's local adoption. Port Deposit's anniversary date was September 4, 1993. Critical Area Commission staff are in the process of reviewing local Programs and providing review comments to local jurisdictions to assist them with their Comprehensive Reviews; however, staff have not yet been able to review Port Deposit's Program. Despite this fact, I would like to encourage the Town to initiate or continue its work on the Review.

Requirements for the Comprehensive Review are detailed in Natural Resources Article §8-1809(g). The following information is required: 1) a statement certifying that the required review has been accomplished; 2) any necessary requests for program amendments, program refinements, or other matters that the local jurisdiction wishes the Commission to consider; 3) an updated resource inventory; and 4) a statement quantifying acreages within each land classification, the growth allocation used, and the growth allocation remaining.

Please notify the Commission of the status of the Review, and the anticipated time frame needed to complete the Review. Commission staff will strive to assist you as much as possible.

We will appreciate your cooperation, and look forward to hearing from you.

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CHESAPEAKE BAY CRITICAL AREA COMMISSION

October 19, 1995

Ms. Melissa Cook-MacKenzie
Administrator
300 Cherry Street
North East, Maryland 21901

Dear Ms. Cook MacKenzie:

A Comprehensive Review of a local jurisdiction's Critical Area Program is required by Law on the four-year anniversary date of the Program's local adoption. North East's anniversary date was June 26, 1992. Critical Area Commission staff are in the process of reviewing local Programs and providing review comments to local jurisdictions to assist them with their Comprehensive Reviews; however, staff have not yet been able to review North East's Program. Despite this fact, I would like to encourage the Town to initiate or continue its work on the Review.

Requirements for the Comprehensive Review are detailed in Natural Resources Article §8-1809(g). The following information is required: 1) a statement certifying that the required review has been accomplished; 2) any necessary requests for program amendments, program refinements, or other matters that the local jurisdiction wishes the Commission to consider; 3) an updated resource inventory; and 4) a statement quantifying acreages within each land classification, the growth allocation used, and the growth allocation remaining.

Please notify the Commission of the status of the Review, and the anticipated time frame needed to complete the Review. Commission staff will strive to assist you as much as possible.

We will appreciate your cooperation, and look forward to hearing from you.

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John C. North, II
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cc: Ms. Mary Ann Skilling



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CHESAPEAKE BAY CRITICAL AREA COMMISSION

October 19, 1995

Ms. Marie Rameika
Town Administrator
P O Box 85
Church Hill, Maryland 21623-0085

Dear Ms. Rameika:

A Comprehensive Review of a local jurisdiction's Critical Area Program is required by Law on the four-year anniversary date of the Program's local adoption. Church Hill's anniversary date was August 14, 1993. Critical Area Commission staff are in the process of reviewing local Programs and providing review comments to local jurisdictions to assist them with their Comprehensive Reviews; however, staff have not yet been able to review Church Hill's Program. Despite this fact, I would like to encourage the Town to initiate or continue its work on the Review.

Requirements for the Comprehensive Review are detailed in Natural Resources Article §8-1809(g). The following information is required: 1) a statement certifying that the required review has been accomplished; 2) any necessary requests for program amendments, program refinements, or other matters that the local jurisdiction wishes the Commission to consider; 3) an updated resource inventory; and 4) a statement quantifying acreages within each land classification, the growth allocation used, and the growth allocation remaining.

Please notify the Commission of the status of the Review, and the anticipated time frame needed to complete the Review. Commission staff will strive to assist you as much as possible.

We will appreciate your cooperation, and look forward to hearing from you.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II".
John C. North, II
Chairman

JCN/PJP/jjd
cc: Ms. Mary Ann Skilling

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410- 820-5093 FAX

REN SEREY
EXECUTIVE DIRECTOR
410-974-2418 /26
410-974-5338 FAX



WESTERN SHORE OFFICE
45 CALVERT ST., 2ND FLOOR
ANNAPOLIS, MARYLAND 21401

EASTERN SHORE OFFICE
31 CREAMERY LANE
EASTON, MARYLAND 21601

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

October 19, 1995

Ms. Jeanne Minner
P O Box 157
107 North Street
Elkton, Maryland 21922-01571

Dear Ms. Minner:

A Comprehensive Review of a local jurisdiction's Critical Area Program is required by Law on the four-year anniversary date of the Program's local adoption. Elkton's anniversary date was March 8, 1993. Critical Area Commission staff provided review comments to the Town on April 28, 1995.

Requirements for the Comprehensive Review are detailed in Natural Resources Article §8-1809(g). The following information is required: 1) a statement certifying that the required review has been accomplished; 2) any necessary requests for program amendments, program refinements, or other matters that the local jurisdiction wishes the Commission to consider; 3) an updated resource inventory; and 4) a statement quantifying acreages within each land classification, the growth allocation used, and the growth allocation remaining.

As of this writing, the Commission has not received the Town's Comprehensive Review. Please notify the Commission of the anticipated time frame needed to complete the Review, and the anticipated date of submittal.

We will appreciate your cooperation, and if Commission staff can further assist you with this matter, please do not hesitate to contact this office.

Very truly yours,

A handwritten signature in black ink that reads 'John C. North, II'.

John C. North, II
Chairman

JCN/PJP/jjd

JUDGE JOHN C. NORTH, II
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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

October 19, 1995

The Honorable Daniel F. Hartley
8916 Chesapeake Avenue
North Beach, Maryland 20714

Dear Mayor Hartley:

A Comprehensive Review of a local jurisdiction's Critical Area Program is required by Law on the four-year anniversary date of the Program's local adoption. North Beach's anniversary date was August 10, 1993. Critical Area Commission staff are in the process of reviewing local Programs and providing review comments to local jurisdictions to assist them with their Comprehensive Reviews; however, staff have not yet been able to review North Beach's Program. Despite this fact, I would like to encourage the Town to initiate or continue its work on the Review.

Requirements for the Comprehensive Review are detailed in Natural Resources Article §8-1809(g). The following information is required: 1) a statement certifying that the required review has been accomplished; 2) any necessary requests for program amendments, program refinements, or other matters that the local jurisdiction wishes the Commission to consider; 3) an updated resource inventory; and 4) a statement quantifying acreages within each land classification, the growth allocation used, and the growth allocation remaining.

Please notify the Commission of the status of the Review, and the anticipated time frame needed to complete the Review. Commission staff will strive to assist you as much as possible.

We will appreciate your cooperation, and look forward to hearing from you.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II".

John C. North, II
Chairman

JCN/PJP/jjd



JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410- 820-5093 FAX

REN SEREY
EXECUTIVE DIRECTOR
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ANNAPOLIS, MARYLAND 21401

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31 CREAMERY LANE
EASTON, MARYLAND 21601

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

October 19, 1995

Ms. Kelly Henry
Planning, Permits, Inspections
One West Market Street
Room 116, Courthouse
Snow Hill, Maryland 21863-1070

Dear Ms. Henry:

A Comprehensive Review of a local jurisdiction's Critical Area Program is required by Law on the four-year anniversary date of the Program's local adoption. Worcester County's anniversary date was October 9, 1994. Critical Area Commission staff provided review comments to the County on June 6, 1995.

Requirements for the Comprehensive Review are detailed in Natural Resources Article §8-1809(g). The following information is required: 1) a statement certifying that the required review has been accomplished; 2) any necessary requests for program amendments, program refinements, or other matters that the local jurisdiction wishes the Commission to consider; 3) an updated resource inventory; and 4) a statement quantifying acreages within each land classification, the growth allocation used, and the growth allocation remaining.

As of this writing, the Commission has not received the County's Comprehensive Review. Please notify the Commission of the anticipated time frame needed to complete the Review, and the anticipated date of submittal.

We will appreciate your cooperation, and if Commission staff can further assist you with this matter, please do not hesitate to contact this office.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II". The signature is written in a cursive style with a large, stylized "J" and "N".
John C. North, II
Chairman

JCN/PJP/jjd

John C. North, II
Chairman



Ren Serey
Executive Director

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

45 Calvert Street, 2nd Floor, Annapolis, Maryland 21401
(410) 260-7516 Fax: (410) 974-5338

November 4, 1999

The Honorable Richard F. Colburn
P.O. Box 1237
Cambridge, Maryland 21619

Re: Intrafamily Transfer: Mr. Russell Milligan

Dear Senator Colburn:

I am writing in response to your questions concerning Mr. Russell Milligan's proposal for subdivision through intrafamily transfer. The Critical Area Commission staff has investigated the files at the Dorchester County Office of Planning and Zoning regarding the subdivision history of Mr. Milligan's property. Unfortunately, we were not able to contact Mr. Milligan. The County informed us that he passed away within a day or two following your letter to me about his situation.

The property plat in the County files is not as clear as we hoped, but it does reveal that Mr. Milligan's property within the Critical Area is designated Resource Conservation Area (RCA) and that he created three residential lots by subdivision between 1988-1996. In 1996, Mr. Milligan also proposed a fourth new lot in the RCA. However, this lot was located outside of the Critical Area following a determination by the County that Mr. Milligan had exhausted his RCA development potential. I have enclosed a 1996 letter on this subject to Mr. Milligan from Mr. Steve Dodd, the Dorchester County Planning Director, and a portion of the County-approved plat noting the prior subdivision activity.

As you know, the intrafamily transfer provisions were legislatively created to make it easier to keep agricultural land within the family. The provisions of Natural Resources Article 8-1808.2 allow subdivision of a parcel of seven acres into two lots, and subdivision of a parcel between 12-60 acres into three lots, as long as the conveyances are to family members as defined in the statute. Above 60 acres, RCA land can be subdivided at the ratio of one dwelling unit per 20 acres, and no family restrictions apply.

Branch Office: 31 Creamery Lane, Easton, MD 21601
(410) 822-9047 Fax: (410) 820-5093

TTY FOR DEAF ANNAPOLIS-974-2609 D.C. METRO-586-0450

The Honorable Richard F. Colburn

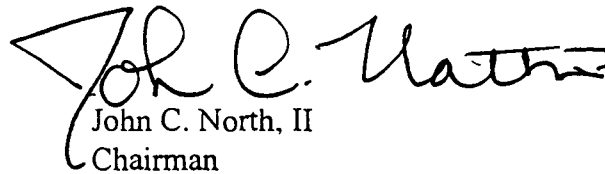
November 2, 1999

Page 2

The Critical Area Act's intrafamily transfer provisions seem to be working well, and at this time I do not believe the Commission would favor relaxing them. Another possibility for the Milligan family is to use growth allocation. According to our records, in 1990 the County Commissioners granted 8.3 acres of growth allocation to the larger Milligan property for the Huntington Crossing Subdivision. The family may want to look into growth allocation on another part of the property to accommodate an additional lot. Often, the amount of growth allocation needed to create an extra lot is relatively small and many jurisdictions, like Dorchester County, do not place undue restrictions on applicants seeking a minimum allotment.

If I can be of further assistance, please do not hesitate to call.

Very truly yours,



John C. North, II
Chairman

DORCHESTER COUNTY PLANNING & ZONING OFFICE

P. O. Box 107
CAMBRIDGE, MARYLAND 21613
PHONE: 228-3234

DIRECTOR
DODD, AICP

ASSISTANT PLANNER
KAREN HOUTMAN

PLANNING SECRETARY
SUSAN BRANNOCK



CODES ENFORCEMENT
NICK LYONS
ERIC DRUMMER

ZONING SECRETARY
MERRIS HURLEY

August 19, 1996

Mr. Brad Temple
3969 Five Friars Road
Salisbury, Maryland 21804

RE: Russell Milligan Subdivision - P&Z #618D

Dear Brad,

This letter will confirm the results of our discussion today regarding the above-referenced project.

Based on the information you submitted on your revised plat, it appears that no additional development may occur within the Critical Area portion of the Milligan's property. The creation of a building lot in 1991 and two building lots in 1995 has maximized the available development potential on this property. No additional lots may be created within the Critical Area.

The owner may, however, locate this building outside of the Critical Area, as shown on your revised plat.

Sincerely,

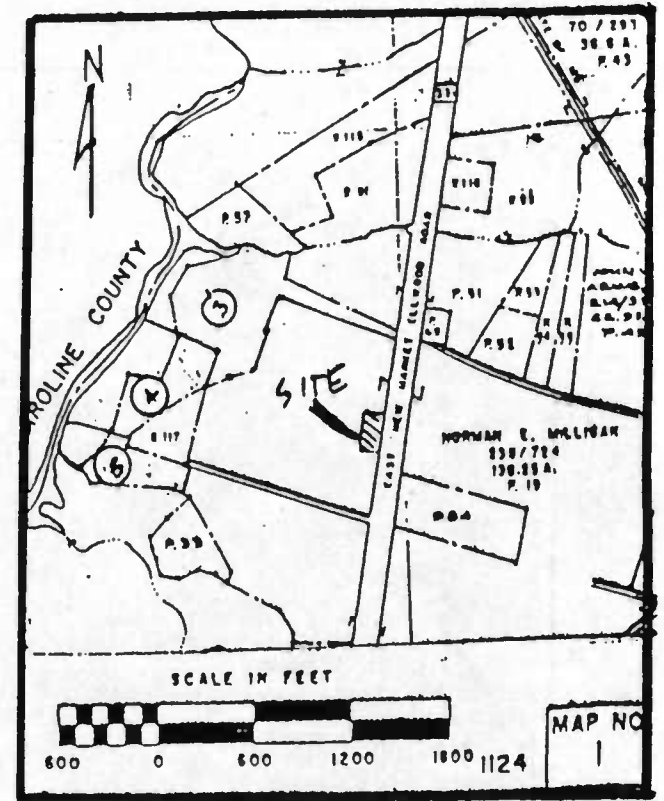
Steve M. Dodd
Director

SMD/sb

cc: M. Russell Milligan
Greg Schaner, Critical Area Commission
✓ File #618D

CONVEYANCES

- LOT 1 - TO M. ROSS ~~DE~~ MILLIGAN APRIL 1988
- LOT 2 - ~~ROBERT F. THURK~~, ETUX FEB 1991
- LOT 3 - NORMAN MILLIGAN, ETUX FEB 1995
- LOT 4 - CHARLES F. MILLIGAN, ETUX FEB 1995



"Any development or improvement of any lot on this plat may require Federal Nontidal Wetland permits from the Corps of Engineers. Any Wetland delineation on this plat may not comply with Federal Regulations."

NOTES

1. PLANNING + ZONING # G1B-D
2. PROPERTY IS ZONED AR - AGRICULTURAL-RESIDENTIAL
3. PROPERTY IS NOT LOCATED IN THE RESOURCE CONSERVATION AREA (RCA) ~~CRITICAL AREA~~ Critical Area
4. DORCHESTER COUNTY WATER AND SEWER PLAN DESIGNATION: NO PLANNED SERVICE AREA
5. A DECLARATION OF INTENT FOR DORCHESTER

APPROVALS

1. This plan is hereby approved by the Dorchester County Planning Commission in accordance with the Subdivision

GAN

George John C. North, II
Chairman



Ren Serey
Executive Director

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

45 Calvert Street, 2nd Floor, Annapolis, Maryland 21401
(410) 260-7516 Fax: (410) 974-5338

November 4, 1999

Eric J. Blitz, Esquire
Webb & Blitz, L.L.C.
Suite 506 Heaver Plaza
1301 York Road
Lutherville, Maryland 21093

Re: Town of Chesapeake Beach, Ordinance 0-97-6

Dear Mr. Blitz:

I am writing to inform you that Ordinance 0-97-6, as enacted by the Town Council of Chesapeake Beach on June 17, 1999, must be submitted to the Chesapeake Bay Critical Area Commission as a proposal to change the Town's adopted Critical Area Program. This ordinance appears to be substantively the same as a 1997 ordinance bearing the same number, which was submitted to and approved by the Commission. However, the Town's addition of supporting findings and conclusions to the 1999 ordinance requires Commission approval in order for the 1999 ordinance, findings, and conclusions to be incorporated into the Town's approved Critical Area Program.

As you know, on May 6, 1998, the Critical Area Commission approved the original version of Ordinance 0-97-6 (enacted by the Town Council on September 18, 1997) as an amendment to the Town's Critical Area Program. Subsequently, the Town Council's passage of this ordinance was the subject of a petition for judicial review in the Circuit Court for Calvert County. By Order of March 25, 1999, the court remanded the matter to the Town Council. After holding a public hearing, the Town Council again enacted Ordinance 0-97-6, but the ordinance included certain additional incorporated "findings and Conclusions on Tidewater Homes, Inc.'s Request for a BEA Designation." These findings supplement the Ordinance. Nevertheless, the findings were not part of the September 18, 1997 version of the ordinance previously approved as a program amendment by the Critical Area Commission.

The 1999 version of Ordinance 0-97-6 appears to contain substantive provisions identical to the 1997 version. Because the substantive effect of Ordinance 0-97-6 remains the same as

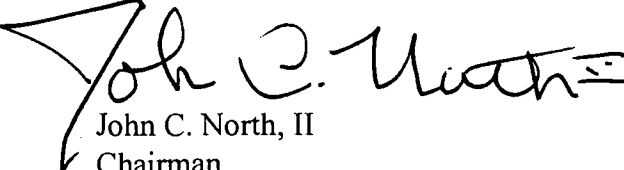
Branch Office: 31 Creamery Lane, Easton, MD 21601
(410) 822-9047 Fax: (410) 820-5093

Mr. Eric J. Blitz
November 4, 1999
Page 2

when the Commission initially approved it, I believe that the 1999 version, with the associated findings, is properly considered a Program Refinement under Code, Natural Resources Article 8-1802 and 8-1809.

Accordingly, please inform your client that the revised Ordinance 0-97-6 with supporting findings and conclusions, must be submitted to the Critical Area Commission at the Town's earliest convenience. I look forward to receiving the Town's submission.

Very truly yours,



John C. North, II
Chairman

cc: Marianne D. Mason, Esq.
Ren Serey

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410- 820-5093 FAX

REN SEREY
EXECUTIVE DIRECTOR
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EASTERN SHORE OFFICE
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EASTON, MARYLAND 21601

**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

November 3, 1995

James A. Rogers
Ellen Sheriff Rogers
4873 Church Lane, Box 143
Galesville, Maryland 20765

Dear Mr. & Mrs. Rogers:

I have read your letter expressing your disappointment with our position concerning a Buffer variance in Anne Arundel County. It is my understanding that the requested variance is for a proposed second-story addition and enclosure of an existing patio. My staff responded with a letter to the County indicating that we had no objection to the requested variance because it appeared that the improvements would not create additional impervious areas or runoff. The Commission encourages and supports home additions that do not create additional impervious areas by increasing building height as opposed to land coverage. This is especially true when proposing to build in the Buffer. By building outward from an existing dwelling, the area of impervious surfaces increases, which results in less area available to infiltrate runoff before it reaches tidal waters. Therefore, our recommendation to the County is consistent with both the letter and spirit of the Critical Area Law and Criteria.

The Critical Area Commission evaluates variance proposals based on the five variance standards set out in the Criteria (COMAR 27.01.11.01). Those standards do not address a view of the water by either the applicant or adjoining property owners, nor do they address height limitations. The Commission cannot address issues for which it is not authorized. Those issues are addressed as part of the County's building permit review process, if a variance be granted, and its staff may better assist you in those matters.

The location of the existing dwelling, as you point out, was so sited in 1955. Both the Critical Area Criteria in COMAR 27.01.02.07 and the County's Critical Area Program address the grandfathering issue. December 1, 1985 was the date established by the General Assembly to recognize existing land uses and patterns of development in the Critical Area. The grandfathering provision allowed for the continuance of those existing uses that may not meet or conform to the newly established Critical Area Law and Criteria. However, the General Assembly intended that new development activities occurring on those existing grandfathered lots would be subject to the Critical Area Law and Criteria and may need variances to proceed.

You describe several alleged violations on this site which include illegal subdivision, setbacks from the water and adjoining properties and illegal paving. The Commission does not issue permits or act as an enforcement agency. The Commission has oversight authority relative to the County's Program, but does not initiate individual enforcement actions. Any illegal subdivision activity that may have occurred on this site is subject to the County's zoning laws and enforcement powers. Any filling

Mr. & Mrs. Rogers
Page Two
November 3, 1995

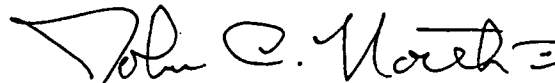
that may have occurred on this site is subject to a review process by the Army Corps of Engineers and the necessary State tidal and/or nontidal wetlands permits/procedures under the Maryland Department of the Environment. Setbacks to the side yards are part of the County's zoning process. The setback of the dwelling from the water occurred prior to Critical Area requirements (as described above).

The parking area on this site is not part of the variance application. We have placed a call to the County regarding the issue. If the County determines that the property owner has paved this area without the necessary permits and/or variances and has exceeded the impervious surface limitations for this lot (25%), then a variance would be necessary. We understand the County is investigating this issue. Should an after-the-fact variance application result from the County's inquiry, the Commission would address that issue as part of the variance request. I thank you for pointing out the paving issue on this site. The Commission has consistently opposed large parking areas within the 100-foot Buffer, and in no way condones or encourages paving in the Buffer or the exceeding of the impervious surface limitations.

As with any grandfathered lot in the Critical Area, the Commission is faced with the difficult task of balancing existing site conditions with new development in a manner that is sensitive to Critical Area features. Reasonably-sized additions to existing grandfathered dwellings generally are not opposed by this office, provided they are sited to minimize disturbance to the Buffer. However, when Buffer variances are granted, mitigation is required, usually by planting trees and shrubs to reduce stormwater impacts and provide a measure of wildlife habitat.

The Commission's position in regard to this variance request does not reward illegal conduct. The Commission simply does not oppose this request because the proposed development would result in no net increase in impervious areas. Certainly, any past abuses should not go unnoticed, but the request before us does not address past abuses. The Commission has asked the County to investigate these matters and will pursue them if appropriate. If you need additional information or wish to discuss the variance request further, please contact Mr. Ren Serey, the Commission's Executive Director or Ms. Regina Esslinger, our Project Evaluation Chief.

Very truly yours,

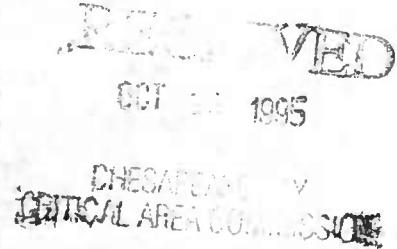


John C. North, II
Chairman

cc: Mr. Kevin Dooley
Ms. Suzanne Schappert
Mr. Ren Serey
Ms. Regina Esslinger
Ms. Lisa Hoerger

JAMES A. ROGERS
ELLEN SHERIFF ROGERS
4873 Church Lane, Box 143
Galesville, MD 20765

October 16, 1995



Judge John C. North II
Chairman
State of Maryland
Chesapeake Bay Critical Area Commission
45 Calvert Street
Annapolis, Maryland 21401

Dr. Sarah J. Taylor
Executive Director
State of Maryland
Chesapeake Bay Critical Area Commission
45 Calvert Street
Annapolis, Maryland 21401

Re: Variance 307-95 (Gutierrez Property)

Dear Judge North and Dr. Taylor:

We write to complain about the recent action of the Critical Area Commission staff with respect to what undoubtedly is viewed as another "business-as-usual" variance application for a small waterfront residential property in southern Anne Arundel County. But this matter is important to many people in Galesville (including the three waterfront adjoining property owners who oppose the proposal), has all the earmarks of a case headed for Maryland's highest court, and deserves more thoughtful attention than the Commission staff has provided. The staff recommendation -- "no opposition" -- essentially rewards decades of unlawful conduct that includes just about every act that the Critical Area laws are designed to avoid.

This variance request involves an existing fifty-eight foot by forty-five foot home (and adjoining twenty by twenty-two foot garage) built twelve feet from the water, in Galesville, Maryland (and nine feet from the property line -- the three foot difference the result of filling). The applicants propose to double that area. The present and previous owners of this property have violated every applicable zoning law -- including recent paving that by their own admission renders thirty-four percent of the lot impermeable -- in the process of building on this property. This 3,050 square foot complex (not including out-

Judge John C. North II
Dr. Sarah J. Taylor
October 16, 1995
Page 2

building) is five feet from our property, twelve feet from the West River, and is completely to the water side of all structures on this part of the West River. That is, no part of the Gutierrez house is as far from the water as the nearest portion of any of their neighbors. I enclose a picture to help in understanding the placement of this property, as well as the applicants' sketch of the proposed house addition. The present structures on this small lot are already equivalent in square feet to the other homes on the water. Recently the owner of that property (father of the applicant) paved a major portion of the lot, resulting in a five-car parking area five feet from our property line. (In effect, we have a paved parking lot a few feet from our and our children's bedrooms.) The Gutierrez' in writing have asserted that their proposed expanded house and garage will make them "unique" in the area. (With this assertion we certainly agree.) In a letter to adjoining landowners in April of this year, the Gutierrez' stated: "We feel the closeness of our property to the water and its internal construction make it unique -- our view of the water is unparalleled, and our second floor view would be even better."

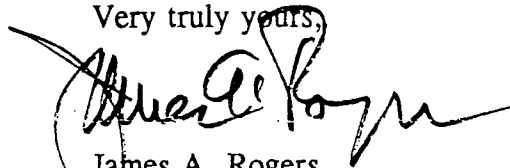
The human activity on the Gutierrez property, since the house was built in 1955, has included effecting an illegal subdivision, creating too much impermeable area, having too small a lot for R2 zoning, and building far too close to the water and neighbors. Now the Gutierrez' wish to double the square footage, and the Commission staff has indicated no opposition because the construction will not extend the original "footprint." Clearly, the staff is indicating that the Commission will reward activity which is contrary to the letter and spirit of the Critical Area laws as well as plain common sense. (There apparently is no meaningful inquiry as to how this state of affairs came to exist, much less any consideration of any enforcement action for previous violations.) As long as transgressions are past, are a fait accompli, the Commission apparently condones them, and thus encourages similar conduct by others. This is precisely the type of situation in which Maryland's appeals courts have consistently denied variances. "Were we to hold that self-inflicted hardships in and of themselves justified variances, we would, effectively not only generate a plethora of such hardships but we would also emasculate zoning ordinances. Zoning would become meaningless." Cromwell v. Ward, 102 Md. App. 691, 651 A.2d 424 (Ct. Sp. App., 1995 [J. Cathell]).

In light of the laissez-faire attitude of the staff in this matter, one can only wonder when, if ever, a proposed construction, employing only the existing footprint, would be opposed by the Commission, even if such an approval rewards decades of conduct inimical to neighbors and the environment. Would someone receive the same reception with a proposal to put a third floor on an existing structure that covered seventy-five percent of the impermeable area? What if the structure had been built only a year ago? Where does this stop?

Judge John C. North II
Dr. Sarah J. Taylor
October 16, 1995
Page 3

As adjoining property owners, and as people who have enjoyed Chesapeake Bay and supported the enactment of laws to protect the Bay, we express our deepest disappointment in the action of the Chesapeake Bay Critical Area Commission in this matter.

Very truly yours,

A handwritten signature in cursive script, appearing to read "James A. Rogers" and "Ellen Sheriff Rogers", written over a circular stamp or seal.

James A. Rogers
Ellen Sheriff Rogers

cc: Ms. Lisa Hoerger
Mr. Kevin Dooley
Ms. Suzanne Schappert

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410-820-5093 FAX

SARAH J. TAYLOR, PhD.
EXECUTIVE DIRECTOR
410-974-2418/25
410-974-5338 FAX



WESTERN SHORE OFFICE
45 CALVERT ST., 2ND FLOOR
ANNAPOLIS, MARYLAND 21401

EASTERN SHORE OFFICE
31 CREAMERY LANE
EASTON, MARYLAND 21601

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

October 2, 1995

Mr. Kevin Dooley
MS 6402
Office of Planning and Code Enforcement
2664 Riva Road
Annapolis, Maryland 21404

Dear Mr. Dooley:

I would like to comment on Variance 307-95, the property of Virginia B. and Michael J. Gutierrez. The applicants propose to construct a second floor addition over the existing dwelling and to enclose an existing concrete patio in the 100-foot Buffer. From the information provided it appears that the proposed addition and patio enclosure will be over existing impervious areas. This office does not oppose the granting of this variance. Impervious areas already exist in the Buffer. These improvements over existing impervious areas create no new disturbance, infiltration or runoff nor will it necessarily increase the human activity already on the site. This office does not oppose this variance based on the existing conditions of the site.

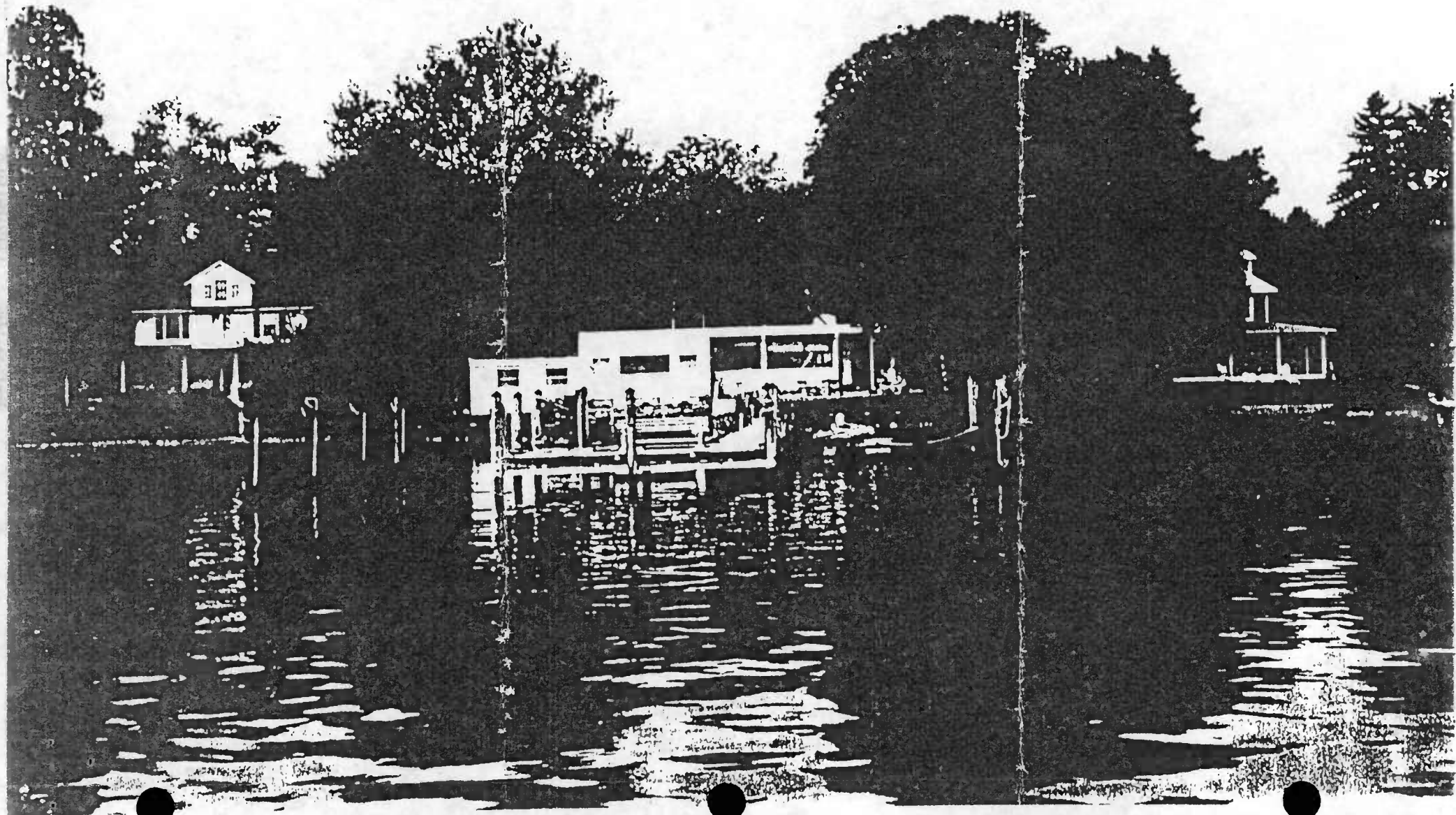
Thank you for the opportunity to comment. Please include this letter in your file and submit it as part of the record for variance. Please notify the Commission in writing of the decision made in this case.

Sincerely,

A handwritten signature in cursive script that reads "Lisa A. Hoerger".

Lisa A. Hoerger
Environmental Specialist

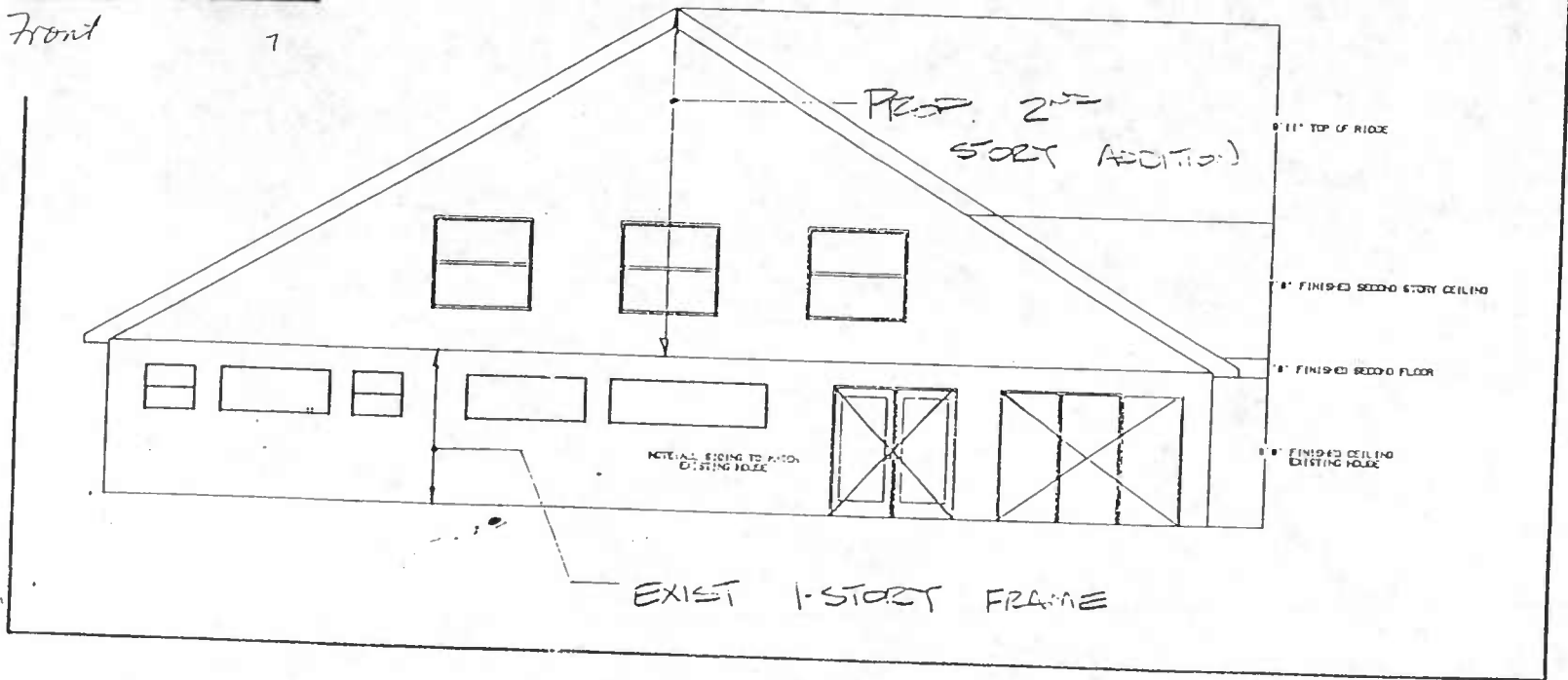
cc: AA 486-95





Front

7



EAST ELEVATION
(WATER SIDE)

Judge John C. North, II
Chairman



Ren Serey
Executive Director

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

45 Calvert Street, 2nd Floor, Annapolis, Maryland 21401
(410) 974-2426 Fax: (410) 974-5338

December 15, 1997

Dear Commission Member:

RE: Anne Arundel County Judicial Appeal /§ 8-1812(a)
Notice

On December 11, 1997 we filed a Petition for Judicial Review stating our intent to appeal the case of Belvoir Farms Homeowners Association.

Belvoir Farms Homeowners Association applied for a special exception to permit a community pier and boat ramp in a residential zoning district, and a variance to permit a greater number of slips at a community pier. According to the Anne Arundel County Zoning Code in Section 12-214(b)(2) and COMAR §27.01.03.07, the number of boat slips permitted at a community pier is limited to the number of lots located in the Critical Area. While this is a ninety-lot subdivision, this would limit the site to four slips since only four lots are in the Critical Area. The applicants sought twenty-three slips. The administrative hearing officer denied both the special exception and variance request. On appeal to the County Board of Appeals, the applicant was granted the special exception and permitted nineteen slips.

I believe that the Anne Arundel County Board of Appeals improperly applied the variance standards in this case and consequently overturned the decision of the administrative hearing officer. Commission staff appeared before the Board of Appeals and opposed the variance to allow a greater number of slips than otherwise allowed under Natural Resources Article §8-1805. We chose not to comment on the special exception. In addition to improperly applying the variance standards, I believe this case could set a precedent to encourage other subdivisions either wholly or partially outside of the Critical Area to petition for more slips than envisioned under COMAR 27.01.03.07.

In accordance with Natural Resources Article, §8-1812, Annotated Code of Maryland, if you disapprove of my action in this case, please notify me in writing within 35 days after the date of this notice. As provided in §8-1812, if 13 members of the Commission indicate disapproval of my action in a timely manner, I shall withdraw the action initiated. Please note the other procedural safeguards set forth in §8-1812.

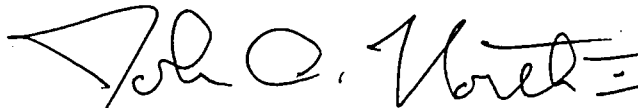
Branch Office: 31 Creamery Lane, Easton, MD 21601
(410) 822-9047 Fax: (410) 820-5093

TTY FOR DEAF ANNAPOLIS-974-2609 D.C. METRO-586-0450

Commission Members
Page Two
December 11, 1997

Thank you for your anticipated cooperation. The full Commission file on this matter is available at the Commission office for your review.

Very truly yours,

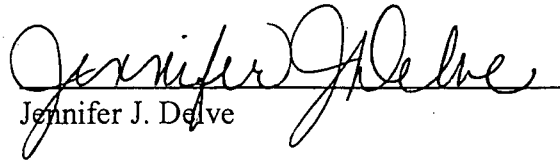
A handwritten signature in black ink, appearing to read "John C. North, II". The signature is written in a cursive style with a large initial "J" and a distinct "C" and "N".

John C. North, II
Chairman

cc: Marianne D. Mason, Esquire

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 24 day of December, 1997 I mailed a copy of this §8-1812(a) Notice via first class mail, postage prepaid, to each member of the Chesapeake Bay Critical Area Commission.


Jennifer J. Dolve

Judge John C. North, II
Chairman



Ren Serey
Executive Director

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

45 Calvert Street, 2nd Floor, Annapolis, Maryland 21401
(410) 974-2426 Fax: (410) 974-5338

December 1, 1997

Dear Commission Member:

RE: Dorchester County Judicial Appeal /§ 8-1812(a) Notice

On November 19, 1997 we filed a Petition for Judicial Review stating our intent to appeal the variance granted to Larry and Kathy Foxwell.

I believe that the decision of the Dorchester County Board of Appeals improperly approved the applicants' request. The Foxwells applied for variance to permit the construction of a 1152 square foot swimming pool and associated decking within the 100-foot Buffer. Commission staff testified at the Board's hearing in opposition to the location of the structure based on the five variance standards. The Board of Appeals approved the requested variance without adequately addressing the variance standards.

In accordance with Natural Resources Article, §8-1812, Annotated Code of Maryland, copy enclosed, if you disapprove of my action in this case, please notify me in writing within 35 days after the date of this notice. As provided in §8-1812, if 13 members of the Commission indicate disapproval of my action in a timely manner, I shall withdraw the action initiated. Please note the other procedural safeguards set forth in §8-1812.

Thank you for your anticipated cooperation. The full Commission file on this matter is available at the Commission office for your review. If you have questions or need additional information, please contact Mr. Greg Schaner at (410) 974-2426.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II".

John C. North, II
Chairman

cc: Marianne D. Mason, Esquire

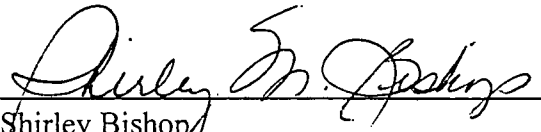
IGLS

p:\greg\dorchstr\project\1997\foxwell.com

Branch Office: 31 Creamery Lane, Easton, MD 21601
(410) 822-9047 Fax: (410) 820-5093

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 1 day of December 1997, I mailed a copy of this §8-1812(a) Notice via first class mail, postage prepaid, to each member of the Chesapeake Bay Critical Area Commission.


Shirley Bishop

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410-820-5093 FAX



WESTERN SHORE OFFICE
45 CALVERT ST., 2ND FLOOR
ANNAPOLIS, MARYLAND 21401

EASTERN SHORE OFFICE
31 CREAMERY LANE
EASTON, MARYLAND 21601

REN SEREY
EXECUTIVE DIRECTOR
410-974-2418 /26
410-974-5338 FAX

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

December 14, 1995

The Honorable Peter W. Roberts
Commissioners of Secretary
Box 248
Secretary, Maryland 21664

Dear Mayor Roberts:

I appreciate your response to my October 19, 1995 letter concerning the status of the Critical Area Review for the Town of Secretary. I am aware that Ms. Phillips is out on medical leave and certainly understand that the Town greatly relies on her assistance for review of the Critical Area Program. My staff is available for any questions you or your staff may encounter when you begin the review process.

Again, thank you for informing me of the status of the Critical Area Review for Secretary. The Commission looks forward to completing the Comprehensive Review process with the Town of Secretary as expeditiously as possible.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II". The signature is stylized and written in a cursive-like font.

John C. North, II
Chairman

cc: Ms. Karen Phillips
Ms. Patricia Pudalkewicz

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-9047 OR 410-974-2418
410- 820-5093 FAX

REN SEREY
EXECUTIVE DIRECTOR
410-974-2418 /26
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ANNAPOLIS, MARYLAND 21401

EASTERN SHORE OFFICE
31 CREAMERY LANE
EASTON, MARYLAND 21601

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

December 14, 1995

The Honorable Norman Stone
6905 Dunmanway
Baltimore, Maryland 21222

Dear Senator Stone:

The Baltimore County staff at DEPRM and the Critical Area Commission staff have been working diligently to address some of the Critical Area buffer issues raised in your bills that were before the General Assembly last year. Two of the issues being addressed are swimming pools in the Buffer and the location of a house in the Buffer on an in-fill lot. We are proposing to address these issues through the County's Buffer Management Area Program, which is being considered an amendment to the County's Critical Area Program. The County's Buffer Management Area Program has been presented to the Critical Area Commission for preliminary information, and we anticipate a vote by the Commission at its next meeting on January 3, 1996. A Panel of the Commission will conduct a public hearing in Baltimore County on Wednesday, December 20, 1995, at 6:30 pm at the North Point Branch of the County Library at the corner of Merritt Boulevard and Wise Avenue. Public notices advertising the hearing have been placed in the two local newspapers (The Avenue and the Dundalk Eagle). We invite you to attend the hearing; however, if you are unable to attend, we invite your written comment for the record.

We would be happy to discuss this proposal with you, or any other issues you may have with the Critical Area Program. It is our sincere desire, if at all possible, to resolve local issues at the local level.

Very truly yours,

A handwritten signature in black ink that reads "John C. North, II". The signature is written in a cursive style with a large initial "J".

John C. North, II
Chairman

cc: Mr. George Perdikakis
Ms. Pat Farr
Mr. Ren Serey
Ms. Pat Pudelkewicz

JUDGE JOHN C. NORTH, II
CHAIRMAN
410-822-8047 OR 410-974-2418
410-820-5093 FAX

REN SEREY
EXECUTIVE DIRECTOR
410-974-2418 /26
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WESTERN SHORE OFFICE
45 CALVERT ST., 2ND FLOOR
ANNAPOLIS, MARYLAND 21401

EASTERN SHORE OFFICE
31 CREAMERY LANE
EASTON, MARYLAND 21601

**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

December 14, 1995

The Honorable Michael Weir
418 Eastern Avenue
Baltimore, Maryland 21221

Dear Delegate Weir:

The Baltimore County staff at DEPRM and the Critical Area Commission staff have been working diligently to address some of the Critical Area buffer issues raised in your bills that were before the General Assembly last year. Two of the issues being addressed are swimming pools in the Buffer and the location of a house in the Buffer on an in-fill lot. We are proposing to address these issues through the County's Buffer Management Area Program, which is being considered an amendment to the County's Critical Area Program.

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Very truly yours,

A handwritten signature in black ink that reads 'John C. North, II'.

John C. North, II
Chairman

cc: Mr. George Perdikakis
Ms. Pat Farr
Mr. Ren Serey
Ms. Pat Pudelkewicz