

Critical Area Commission
Chesapeake and Atlantic Coastal Bays
Meeting held via Google Meet

August 8, 2025

Program Implementation Committee Minutes

Committee Members in Attendance: *Steve Bunker (Chair), Catherine McCall (Co-Chair), Derek Bland, Dan Burris, Jason Dubow (for Deborah Herr-Cornwell), Ben Etherton, Jenelle Gerthoffer, Lisa Rodvien, Dave Wilson*

1. Welcome and Roll Call:

- Steve Bunker, Committee Chair, welcomed all attendees. Nick Kelly confirmed a quorum of seven members.
- The meeting was conducted virtually on Google Meet, and the video will be posted online to comply with open meeting requirements.

2. Approval of June 27, 2025 Program Implementation Committee Minutes

- Motion to Approve: Rodvien
- Second: McCall
- Vote: The minutes were approved unanimously.

3. Town of Secretary – Comprehensive Review

Presenter: Jon Coplin. Recommend Concurrence with the Chair's determination of refinement; Approval with conditions.

Mr. Coplin presented in accordance with the staff report, the contents of which are incorporated into and made part of the minutes. The Town of Secretary Council has approved its comprehensive update to the Town's Critical Area program as required by State law. The Town last updated their Critical Area program in 2012.

Discussion:

Dave Wilson: Asked about golf courses in the RCA. Ms. Shearin explained that, according to the CAC policy on Golf Courses in the RCA, while golf courses are allowed in the RCA, the buildings and parking should be located outside of the RCA, if possible. Commissioner Wilson noted concern about the use of pesticides and herbicides, and that impervious surfaces and greens that are a part of golf courses lack wildlife habitat.

Motion to concur: Rodvien

Second: Etherton

Motion passed unanimously.

4. Anne Arundel County – Map Change: Buffer Modification Area

Presenter: Jamileh Soueidan. Recommend Concurrence with the Chair's determination of refinement; Approval.

Ms. Soueidan presented in accordance with the staff report, the contents of which are incorporated into and made part of the minutes. The Anne Arundel County Planning and Zoning Office approved a change to the County's Buffer Modification Area (BMA) Map.

Discussion:

Jason Dubow : Asked for clarification about what would be placed in conservation easement, noting that the steep slopes have poor vegetation so not much to stabilize them. Ms. Soueidan confirmed the area in question. Ms. Shearin noted that any development that occurs will need at least 2:1 mitigation. Ms. Sterling Seay (Anne Arundel County) explained that the homeowner plans to expand the house landward, and mitigation plantings can be done at that time.

Jenelle Gerthoffer: Asked if the BMA is a specific distance or if it is just based on the current location of the home in relation to mean high water. Ms. Soueidan said it is based on the current location of the home. Per Anne Arundel provisions, development cannot occur closer to the shoreline than the nearest point of the existing structure.

Motion to concur: Gerthoffer

Second: Wilson

Motion passed unanimously.

5. Town of Indian Head – Text Amendment: Growth Allocation Alternative Provision

Presenter: Annie Sekerak. Recommend Concurrence with Chair's Determination of refinement; Approval.

Ms. Sekerak presented in accordance with the staff report, the contents of which are incorporated into and made part of the minutes. The Council of the Town of Indian Head has approved a text amendment to the Town Code that would allow for the use of growth allocation in new Intensely Developed Areas (IDAs) less than 20 acres.

Discussion:

Steve Bunker: In the next agenda item, it states that previously 6.76 acres of LDA was reclassified as IDA in the past. How was that done without this amendment in place? Mr. Kelly explained that when the maps were first developed, there was a little more flexibility in standards for growth allocations, with guidelines rather than standards.

Jenelle Gerthoffer: Asked if an IDA needs to be adjacent to another IDA in order for the designation to be changed from LDA. Seems like otherwise it's opening the door to scatterings of IDA islands. Ms. Sekerak stated that within Indian Head, most land is already IDA, so not much chance of that happening.

Motion to concur: Dubow

Second: Gerthoffer

Motion passed unanimously.

6. INFORMATION ONLY: Town of Indian Head – Robinson Terminal Growth Allocation

Presenter: Annie Sekerak

Ms. Sekerak presented in accordance with the staff report, the contents of which are incorporated into and made part of the minutes. The Town of Indian Head is seeking preliminary feedback regarding a growth allocation proposal to reclassify 6.76 acres of Limited Development Area (LDA) to Intensely Developed Area (IDA). This will be the first time that a growth allocation is reviewed under the new climate resiliency location standard and environmental justice factor.

Discussion:

Jason Dubow: Commented that normally when he thinks of environmental justice, he thinks about projects that release pollution, but hadn't thought about impacts from a new townhouse development. Wondering if the development should be closer to the downtown area.

Dave Wilson: Mitigation should definitely be provided for forest clearing in the IDA. He requested an aerial view and a landscape view for future projects.

Catherine McCall: Should make sure that when stormwater management BMPs are chosen, that storms won't have a negative impact on them.

Steve Bunker: Wondered if they could do away with the old 6.7 acres of IDA and start over again, which would allow all of the Buffer to be LDA and not have the IDA area.

Jason Dubow: What is the mitigation ratio for forest clearing in the IDA? Answer: there is none. Mr. Kelly commented that requiring mitigation for tree clearing for this project could be based on the new equity or resiliency factors. Mr. Dubow stated that forest mitigation would be better onsite but also does not want to stop the development because housing is needed, and it shouldn't be too far outside of the town.

Sue Greer (attorney for the property owner): Talked about environmental justice and its relationship to underserved communities. She provided some background history of the Town of Indian Head and the effects of its proximity to the Naval Surface Warfare Center.

Chair Erik Fisher: thanked Ms. Greer and Indian Head for being the the first to present growth allocation under this new process. Asked if they could incorporate some of the Environmental Justice screening tool (MDE EnviroScreen) information into their application, and recognized that it was down/not working before the submittal was due. Ms. Greer stated that Critical Area staff has been very helpful and will include Environmental Justice screening information. Chair Fisher had the following additional questions/comments:

1. Mentioned that Commissioner Bunker brought up having the Buffer be all LDA, and is curious about how the Town feels about that approach. Ms. Greer would like to discuss this with the Town before stating anything definitive.
2. Related to stormwater management, Chair Fisher stated that the Critical Area 10% phosphorus reduction is required in the IDA and is usually resolved by meeting MDE requirements. It seems like there is significant clearing of trees, which help remove phosphorus. Those areas are being replaced with impervious surface, which is not good at removing phosphorus. What do we do about 9 acres of trees being cleared and how do we reach the 10% reduction requirement? There seems to be more protection for the trees outside of the Critical Area than inside. Chair Fisher highlighted the idea that the SWM and forest clearing are related and requested the applicant to provide more detail.
3. Finally, Chair Fisher requested that the Town and applicant ensure that the Buffer delineation accurately depicts the areas of steep slopes the final expanded Buffer line. He also asked about where the project is in terms of the wetlands permit process.

Jason Dubow: Mentioned he's been working with DNR land acquisition group for their 5-year plan and they want to drop the park equity tool from their guidance, so Critical Area Commission staff may want to stop using or stop citing the DNR Park Equity tool.

Steve Bunker: Housing reflects that most workers used to be blue collar and now they are white collar, so is the new proposed housing partly related to that? Ms. Greer said yes. She said about 50% of the people who work on Indian Head Naval Base live in the County, and they would like to see a higher percentage live in Town. Mike Burlbaugh (Elm Street Development) stated that they are working through preliminary plans now. They have some higher end townhome and single family home developments that have sold well, so they are confident that this proposed housing will do well. New federal money should add hundreds to a thousand jobs at the Indian Head Naval Base.

Dave Wilson: Feels that it is important to promote infill development, but would like to push for some more onsite mitigation for forest clearing.

Nick Kelly (Executive Director): Thanked Sue and Mike for working with CAC staff. Asked specifically about the MDE permits and where they are in the process. Mike Burlbaugh said they are preparing their application based on preliminary impacts, but have not yet submitted them.

Mike Burlbaugh (consultant for the property owner) shared Site Map with Parks and Trails. Sue Greer mentioned that the town has a decent amount of parks and recreational activity options. Charlie Wright and Village Green Park are located right outside the gates for the Indian Head Naval Base. Indian Head Rails to Trails goes up to 301.

Steve Bunker: reiterated removing the previous IDA, and starting fresh; also, stormwater management.

Jason Dubow would like more info about what stormwater runoff will look like and what the impacts will be once the trees are removed. He stated that he is not sure why parks are a part of this presentation/submittal. Chair Fisher responded to Jason Dubow and said that parks are being mentioned because we also have a requirement to look at public access to the water.

Sue Greer: Part of the Town is in the Mattawoman Creek watershed, but this project is located in the Potomac River watershed.

There were no other questions or comments. Sue Greer said they will provide additional information, and Mike Burlbaugh hopes that they will be able to formally submit for two Program Committee meetings from now.

Meeting adjourned.