

**Critical Area Commission
Chesapeake and Atlantic Coastal Bays**

May 21, 2025

Project Committee Minutes

Committee Members in Attendance: *Conway (Chair), Roberson (Co-Chair), Gost, R. Hance, Marion, Morgan, Palma, Roche, Young, Bradford, Patel*

Guests: Dan Furman (Harford County), Paul Nevenglosky, Amanda Penafiel, Abbie Coplin

1. Call to Order and Quorum Verification

- Nick Kelly opened the meeting and noted there was not a quorum, so the agenda would be switched, with the Information Only presentation first. The items for vote would be presented when there is a quorum. He also noted that the meeting was being recorded.
- Commissioner Conway read the standard statement for virtual meetings, noting that the meeting was being streamed live to the public and that captioned minutes would be made available on the Commission's website.

2. Approval of April 9, 2025 Minutes

- Motion to Approve: Commissioner Roberson
- Seconded by: Commissioner Bradford
- Vote: The minutes were approved unanimously.

3. Information Only: Harford County – Perryman Park Improvements

Presenter: Maggie White

Ms. White presented for information only in accordance with the memorandum, the contents of which are incorporated into and made part of the minutes. Harford County is seeking feedback regarding the proposed development plans and the required mitigation for proposed improvements at Perryman Park, a 37.68-acre public park on the Bush River. The proposal includes the construction of two multi-use fields, two parking lots, an asphalt trail, access road, pavilion, and playground. Ms. White reviewed the nonwater-dependent structures and uses located in the Critical Area Buffer and the requirements for public pathways in the Critical Area.

Discussion:

Commissioner Hance: Asked about the proposed fields – will they be turf or natural grass?

Harford County: Natural grass.

Chair Fisher: Asked about the orientation of the fields to the waterway. What design considerations were taken and is there a possibility of reducing the size of the fields or moving outside the expanded Buffer.

County: Orientation of fields was influenced by associated grading, stormwater management facilities, and recreational needs for the area. In addition, a BGE easement runs south of the property, adding constraints to the design.

Chair Fisher: Why are two fields needed, and will they be lighted?

County: Two fields are needed to service the Belcamp Community, which currently has only three fields, insufficient for the growing population. Fields will not be lighted and will only serve for practices and games, no tournaments.

Commissioner Roberson: Why asphalt for proposed trails and roads, rather than pervious materials?

County: Asphalt has a lower maintenance cost and is compliant with the ADA requirements. County looked at other materials, but asphalt has the longest life expectancy and best maintenance cost. Maintenance of pervious materials would be a cost issue in the future.

Commissioner Roberson: Requested that County officials explore reducing impervious materials closer to the waterway and consider pervious materials. These areas would be less traveled compared to closer to the parking lot, thus reducing maintenance needs and promoting infiltration.

County: County will consider the recommendations.

Commissioner Roberson: Will there be restrooms at the park?

County: No facilities, but port-a-potty will be located at the parking lot for visitor use.

Jennifer Esposito: Are there future plans for a trail system around the dredged material facility or other passive recreation?

County: There is already a trail system around the dredged material facility. No plans for further passive recreation. Asphalt trail will be used by the community and will not go down to the water but will stay on top of the hill, to prevent washout.

Esposito: Does the BGE easement prevent the expansion of the parking lot and relocation of the two fields?

County: Yes.

Commissioner Conway: Could the second field be moved outside the expanded Buffer? Could the eastern field be moved south and the western field moved east?

County: The BGE easement is 100 feet wide and goes from east to west. Also, significant amount of grading due to differences in elevation on the site, and the stormwater management facilities that prevent relocation of fields from their current position.

Commissioner Hance: Will the proposed fill material for the project be sourced from the dredged material facility at Perryman Park?

County: Fill is unrelated to the dredged material site.

Chair Fisher: Mitigation proposed appears to be landscaping, which does not address FIDS habitat requirements. Critical Area would like to see something different for those plans. Will there be additional mitigation? Will the County look for off-site mitigation?

County: There is a current forest conservation area located on-site. If mitigation cannot be filled on-site, they will look for off-site locations.

County: When would this project be considered for a vote, and what additional information is needed from the County?

Answer: CAC Staff will submit discussion points from this meeting and will require a full submission package from the County. Final impact numbers and mitigation will be required for a complete package.

Key Discussion Points for the County to Consider:

- Updated site plan to show BGE easement
- Updated mitigation plan to fulfill FIDS and Buffer mitigation requirements
- Strongly recommend considering using pervious materials where appropriate, especially for the proposed trail
- Look at ways of minimizing impacts to Buffer and FIDS habitat by analyzing the need for a ballfield of the size proposed. County to provide details as to the size requirements for the sport and audience.

**4. VOTE – APPROVAL REQUESTED: Maryland Department of Transportation
Maryland Port Administration (MDOT MPA) – Cox Creek STAR Facility
Remediation and Development Middle Settling Basin Stockpile**

Presenter: Jamileh Soueidan. Recommend approval with conditions.

Ms. Soueidan presented for vote in accordance with the staff report, the contents of which are incorporated into and made part of the minutes. MDOT MPA is proposing improvements at the Cox Creek STAR Facility, which is located in northern Anne Arundel County. The proposed work includes the removal of existing vegetation around the Middle Settling Basin and using the site as a temporary stockpile area, which will serve as an intermediate remediation step for soil consolidation. The total limits of disturbance are 9.6 acres, of which 3.5 acres are located within the Critical Area. Environmental remediation is required under a consent order by Maryland Department of Environment. The project was presented to the Project Committee in September 2024 for preliminary review.

Discussion:

Commissioner Roberson: Asked Commission staff how mitigation monies are handled for a project that occurs within the Critical Area. Is there any verification or accounting of projects? Is Critical Area staff given accounting information to document finances of mitigation money?

Critical Area staff: This is accomplished through a three party MOU that outlines how the grant money can be used and allows staff the chance to comment. The MOU sets out parameters for projects and does not limit projects to the Critical Area. The Port Administration provides annual reports regarding projects.

Commissioner Hance: For stormwater management, are there other protections for the site other than silt fence?

MPA: MPA officials stated that the existing facility dikes are already raised and runoff will be kept within the settling basin. Any runoff will stay in the area due to the dike. In addition, there is a National Pollutant Discharge Elimination System permit that allows stormwater discharge from the facility.

Commissioner Hance: Is the existing woody vegetation lower than the existing dike?

Soueidan: Yes.

Commissioner Hance: How close is the nearest residential area? Did MPA get community feedback, and did it come before any local bodies before coming to the Commission?

MPA: Nearest residential area is over 1.4 miles away and the project did not go before local bodies because it is a State project, and local approval is not required.

Commissioner Conway: Is the area a brownfield site? Would any disturbance cause runoff and impacts to local waterways?

MPA: It is a brownfield site, and under consent order. Any runoff would be contained on site before discharge.

VOTE:

Commissioner Conway requested a motion for approval with conditions as recommended in the staff report. Commissioner Roberson so moved. Commissioner Palma seconded. Motion passed unanimously.

**5. VOTE: APPROVAL REQUESTED – Maryland Transportation Authority (MDTA)
Fort McHenry Tunnel Police Vehicle Storage Building**

Presenter: Kate Durant. Recommend approval with conditions.

Ms. Durant presented for vote in accordance with the staff report, the contents of which are incorporated into and made part of the minutes. MDTA is proposing to construct a police vehicle storage building near the Fort McHenry Tunnel in Baltimore City. The proposed building will be constructed entirely within the MDTA right-of-way, near the intersection of Keith Avenue and Leland Avenue, and approximately two-thirds of the proposed building will be located in the Critical Area. The proposed building will include six maintenance bays, as well as permanent storage for various types of police vehicles, mechanical rooms, storage rooms, break rooms, locker rooms with showers, and offices. Mitigation for tree clearing will be provided onsite.

Discussion:

Commissioner Roberson: Asked if MDTA could address the projected non-tidal wetland impacts for the site.

MDTA: Only non-tidal wetland buffer impacts are anticipated, not non-tidal wetlands.

Commissioner Roberson: Should the coastal resiliency section be reworded in regard to the location of the non-tidal wetland? Is the stormwater management facility located outside the Critical Area?

Durant: The non-tidal wetland is located outside the Critical Area, but the non-tidal wetland buffer is partially located within the Critical Area. The stormwater management facility will be located outside the Critical Area.

Commissioner Hance: Regarding the final planting plan outlined in the staff report, should the condition for approval include a reference to native plants in the planting plan?

Answer: The current plan shows native plants within the Critical Area.

VOTE:

Chair Conway requested a motion for approval with conditions as recommended in the staff report. Commissioner Palma so moved. Commissioner Hance seconded. Motion passed unanimously.

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Next meeting of full Commission will be June 4. Two projects will be moved for consent. Meeting adjourned.