

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

November 1, 2024

Program Implementation Subcommittee Minutes

Subcommittee Members in Attendance: *Bunker (Chair), Etherton, Gerthoffer, Herr-Cornwell, Mulkey, McCall, Porter, Wilson*

Guests: Joe Mayer, Miguel Salinas

1. Welcome and Roll Call:

- Chair: Commissioner Bunker welcomed all attendees and confirmed a quorum of 8 members.
- Meeting was conducted virtually on Google Meet, and the video will be posted online to comply with open meeting requirements.

2. Approval of September 13, 2024 Program Implementation Subcommittee Minutes

Commissioner Wilson noted the need for clarification in the minutes regarding item 5, particularly that the growth allocation policy now applies county-wide instead of being limited to specific watersheds like the Chesapeake Bay and Coastal Bays. Katherine Charbonneau confirmed she would amend the minutes to specify the allowance of transferring up to 150 acres across watersheds as per the original Atlantic Coastal Bays Critical Area Program. There were no additional amendments to the September 13, 2024 minutes.

Motion to Approve - Commissioner McCall

Second – Commissioner Wilson

All in favor.

Action: Minutes approved.

3. Dorchester County – Madison Seafood Company – Growth Allocation Proposal (Information Only):

- **Presented by:** Jennifer Esposito

Requesting feedback on a proposed growth allocation in Dorchester County associated with an existing seafood processing facility. The subject property is a 1.78 -acre parcel currently improved with structures, impervious yard area, and bulkhead. Growth allocation to change the Critical Area designation from Limited Development Area (LDA) to Intensely Developed Area (IDA) will allow the operation to exceed the 15% LDA lot coverage limit in order to accommodate the seafood processing and related aquaculture uses occurring on the site. The property operates as an oyster shell storage and processing facility, supporting local aquaculture and contributing to Maryland's oyster restoration efforts by providing additional shell substrate. The facility is working with MDE to resolve violations related to wetland fills without permits. Restoration efforts include marsh and shoreline restoration in affected areas.

Discussion:

Commissioner Mulkey asked for clarification on some details of the MDE compliance plan. Ms. Esposito explained that restoration and shoreline construction were in process, with mitigation measures pending MDE approval.

4. Kent County – Comprehensive Rezoning and Growth Allocation Policy Update (for Vote):

- **Presented by:** Katie Hayden

Kent County has updated its Growth Allocation Policy to allow for new IDAs that meet specific standards as a part of the County's comprehensive rezoning process. The policy is a part of the County's Critical Area Program and therefore requires Commission review and approval before it can take effect. Staff recommend approval with conditions.

Discussion:

Questions were raised about open space definitions, MDP's roles in reviewing growth plans, and implications for future county projects within IDAs.

Action:

Motion to approve: Commissioner Wilson

Second: Commissioner Etherton

Vote: All in favor. Motion passed unanimously.

5. Town of Easton – Cohee Property (Talbot Commerce Park) Growth Allocation (Talbot County) (for Vote):

- **Presented by:** Annie Sekerak

The Town of Easton is proposing to use 8.348 acres of growth allocation to change Resource Conservation Area to Intensely Developed Area in order to expand commercial uses at Talbot Commerce Park. The property has an established buffer zone and forest conservation easements to protect adjacent wetlands and tributaries. MDE highlighted the need for coordination if future sediment or erosion control activities impact the non-tidal wetland buffer. Commission staff recommend approval with conditions.

Discussion: There were requests for additional information on stormwater management and potential environmental impacts. Ms. Sekerak addressed these, noting that conditions for habitat protection would be met.

Action:

Motion: Commissioner Wilson moved to approve with conditions

Second: Commissioner Porter

Vote: All in favor. Motion passed unanimously.

Meeting adjourned.