

**Critical Area Commission**  
**Chesapeake and Atlantic Coastal Bays**  
Meeting held via Teams

**April 26, 2024**

**Program Implementation Subcommittee Minutes**

**Subcommittee Members in Attendance:** *Bunker (Chair), Land (for McCall), Gerthoffer, Herr-Cornwell, Hewitt, Mulkey, Porter, Rodvien*

**Guests:** Gris Batchelder, Regina Esslinger, Grace Hanson (Baltimore City)

**Item 1. Approval of February Minutes**

Commissioner Hewitt motioned to approve the March Program Subcommittee Minutes. Commissioner Herr-Cornwell seconded the motion. All voted in favor. Minutes approved.

**Item 2. Text Amendment – Waterfront Marinas/Restaurants in MBA (Baltimore County)**

Presented by Susan Makhlof

Ms. Makhlof presented a change to the County’s Critical Area program to add provisions to the County’s Modified Buffer Area (MBA) policy specific to waterfront marinas and restaurants.

**Discussion:**

- Commissioner Hewitt asked for clarification on MDE stormwater management requirements. *Response:* These provisions only apply to projects that disturb less than 5,000 square feet, which are exempt from MDE stormwater management requirements.
- Commissioner Gerthoffer asked for clarification on the flexible setback provision and whether it’s noted on a site plan or recorded. *Response:* in Baltimore County the general action is to require a recorded easement so that it becomes a permanently protected area.

**Action:** Hearing no further questions, Commissioner Bunker asked for a motion to approve the refinement. Commissioner Gerthoffer so moved. Commissioner Rodvien seconded the motion. All voted in favor. **Motion passed unanimously.**

**Item 3. Non-Water Dependent Structures on Piers (Baltimore City)**

Presented by Kate Durant

Ms. Durant presented a change to the Baltimore City Critical Area Program to opt-in to provisions to allow non-water dependent structures on piers consistent with State law.

**Discussion:**

- Commissioner Bunker asked for clarification about specific limits for non-water dependent structures. *Response:* The City code refers back to State law which contains the specific limits.

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**Action:** Hearing no further questions, Program Subcommittee Chair Bunker asked for a motion to concur with the Chair's determination of refinement. Commissioner Hewitt so moved. Commissioner Malkey seconded. **Motion passed unanimously.**

**Meeting adjourned at 9:26 a.m.**