

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

April 8, 2026

Program Implementation Committee Minutes

Committee Members in Attendance: *Bunker (Chair), McCall (Co-Chair), Bland, Burris, Etherton, Hance, Herr-Cornwell, Huffer, Gillis, Mulkey, Richards, Wilson,*

Guests: Brian Soper (Worcester County), Anne Ruff, Nina Shea (Dugan, McKissick & Longmore), Sarah Franklin, Mick Blackistone, Stacy Clements (St. Mary's County), Mark Spencer Cropper (Worcester County)

1. Welcome and Roll Call:

- Charlotte Shearin called the meeting to order and conducted a roll call to confirm a quorum. Steve Bunker, Committee Chair, welcomed all attendees.
- Ms. Shearin noted that the meeting was streamed live to the public, and captioned minutes would be made available on the Commission's website.

2. Approval of Minutes from February 25, 2026

- Motion to Approve: Commissioner Gillis
- Second: Commissioner Wilson
- Abstentions: None
- Vote: The minutes were approved unanimously.

3. REFINEMENT – MOTION REQUIRED: Town of Church Hill – Comprehensive Review

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

Ms. White presented, in accordance with the staff report, the contents of which are incorporated into and made part of the minutes. The Town of Church Hill recently completed a comprehensive review of their Critical Area program as required by State law noted above. On December 15, 2025, the Town of Church Hill Town Commissioners voted to amend the Town's Critical Area program, located within Chapter 75 of the Town Zoning Code, through the adoption of Ordinance 190/25.

Discussion: None.

Motion to concur: Commissioner Wilson moved to concur with the Chair's determination of refinement and to approve.

Second: Commissioner Richards

Motion passed unanimously.

4. REFINEMENT – MOTION REQUIRED: St. Mary’s County – Text Amendment: New RCA Use, Non-Medical Day Care

Presenter: Michael Macon. Recommend Concurrence with the Chair’s determination of refinement; Approval.

Mr. Macon presented in accordance with the staff report, the contents of which are incorporated into and made part of the minutes. St. Mary’s County is requesting to add Nonmedical Day Cares as an allowed use in the Resource Conservation Area (RCA) of the Critical Area Overlay. On March 10, 2026, the County Commissioners of St. Mary’s County adopted Ordinance No. 2026-05, which amends St. Mary’s County Comprehensive Zoning Ordinance. The text amendment allows the use “Day Care, Non Medical” in the Resource Conservation Area (RCA) Overlay District. This use is currently allowed within several underlying zoning districts in the County, including districts designated as Limited Development Area (LDA) and Intensely Developed Area (IDA).

Discussion: None

Motion for Concurrence: Commissioner Burriss

Second: Commissioner Etherton

Vote: All in favor. Motion passed unanimously.

5. REFINEMENT – MOTION REQUIRED: Somerset County – Text Amendment – Restaurants and Retreats in the RCA

Presenter: Charlotte Shearin. Recommend Concurrence with the Chair’s determination of refinement; Approval with conditions.

Ms. Shearin presented in accordance with the staff report, the contents of which are incorporated into and made part of the minutes. Somerset County is requesting approval of a text amendment to allow *Restaurants* and *Retreats* within the Critical Area’s Resource Conservation Area (RCA). On February 24, 2026, the Somerset County Commission approved County Ordinance 1220, which amends Chapter 1-108 of the County’s Zoning Ordinance to add two uses, *Restaurants* and *Retreats*, to the list of approved uses within the RCA and includes specific provisions limiting the uses within the RCA. Chair Fisher determined the change to be a refinement and is seeking concurrence from the Program Committee. Commission staff further recommend approval of the text amendment with conditions.

Discussion:

Commissioner McCall had a question regarding the underlying zoning for the retreats portion of the property, wondering if the zoning of other properties could be changed to take advantage of the enhancement. Justin D., Planning Director, replied that of roughly 17,000 applicable parcels in the County, 45 lots for restaurants and 155 lots for retreats would qualify.

Commissioner Wilson commented that the staff report indicates the Program Committee met on December 3, but they actually met on December 5. Just pointing that out for legal purposes, should be corrected.

Commissioner Gillis asked for clarification about an earlier-mentioned climate resilience study. Ms. Shearin stated that would occur when an applicant applies for the change of use, but she would defer to the County on what that would conclude. **DTCS** replied that they're still determining exactly what this would entail, but that they imagine it being a part of their planning commission review. **Commissioner Gillis** replied that the new regulations deal with climate resiliency and will have to be considered. He further asked about the definition of 'retreat' and 'temporary lodging.' Would that involve tents or other temporary structure? Ms. Shearin stated that temporary refers to the occupancy status, that residents would only be there for the time the retreat is being held.

Commissioner Bunker mentioned Commissioner McCall's earlier question about underlying zoning, and guessed that for the restaurant the underlying zoning has to be maritime, residential, commercial. For the retreat, is there a particular zone that retreats are restricted to? **DTCS** responded any zoning but industrial one, industrial two, or airport zone.

Commissioner McCall said she had more of a comment than a question. Recently there have been several requests for uses in the RCA on a piecemeal basis, and she was wondering if there's a more holistic approach to this, rather than one by one. **Commissioner Gillis** agreed.

Chair Fisher thanked Commissioners McCall and Gillis for their comments, admitting the issue had been troubling him as well. Currently there are a couple tools for dealing with this, including expansion of RCA uses, and growth allocation. Neither seems perfectly suited for the kinds of requests that have been received. He said he would be very interested in establishing a work group to further the conversation about how to handle the situation going forward.

Motion for Concurrence: Commissioner Burris

Second: Commissioner Huffer

Vote: Motion passed unanimously.

6. REFINEMENT – INFORMATION ONLY: – Worcester County – Growth Allocation: Island Resort Campground

Presenter: Katie Hayden

Ms. Hayden presented in accordance with the staff memo, the contents of which are incorporated into and made part of the minutes. The County Commissioners of Worcester County have approved a resolution to reclassify 30.7 acres of Resource Conservation Area (RCA) to Intensely Developed Area (IDA) on the grounds of a mistake. Worcester County proposes to reclassify 33.46 acres of Resource Conservation Area (RCA) to Limited Development Area (LDA) at Island Resort Campground to expand the campground by 62 RV campsites (Attachment 1). The campground encompasses two adjacent properties: 9537 Cropper Island Rd (Tax Map 40, Parcel 241) and 9552 Cropper Island Rd (Tax Map 40, Parcel 93). The

new campsites are proposed primarily on Parcel 93. If approved, the development will need to comply with LDA development standards, including forest/developed woodland clearing limits and lot coverage limits.

Questions for Consideration:

1. Does the growth allocation as proposed minimize impacts to habitat protection areas noted above (FIDs, WSSC buffers, SSPRAs)?
2. Does the proposed wastewater treatment provided minimize environmental impacts including impacts to water quality? Furthermore, given the date of approval (2022), can the county verify that water/sewer capacity is still available for this project?
3. Can the County provide more information regarding the County Commissioners' discussions when considering the growth allocation in light of the aspects listed above that noted a lack of consistency with the Comprehensive Plan, as noted by County staff's memo?
4. Can the County provide more information regarding the County Commissioners' discussions when considering the growth allocation's compatibility with the Priority Preservation Area designation, as noted in County staff's memo?

Discussion:

Commissioner Wilson commented that he had a few questions, but first perhaps the County would comment on questions 3 and 4.

Commissioner Bradford, appearing on behalf of the County, provided additional information. The property was rezoned to A2 in 2024. The planning commission determined the project was consistent with the comprehensive plan and approved the request in January 2024.

Commissioner Wilson stated he disagreed with the determination that the project conformed with the comprehensive plan, noting concerns with the possible environmental impacts. There are areas of conservation concern, including xeric dunes with sensitive plant communities, as well as endangered animal species. Additionally, he noted that there are storm surge issues with the parcel. He concluded, saying that multiple standards are not met, and that it is in a priority preservation area, targeted ecological area, FIDS, WSSC, and in the biodiversity conservation network.

Chair Fisher thanked Commissioner Bradford for appearing. He asked for specifics about the wastewater treatment, noting that in the staff report it was stated the plant's capacity needs to be expanded to accommodate the development. What is the water and sewer amendment for? Also, because of water quality issues in Newport Bay, there is a nutrient TMDL. He asked for the nutrient treatment issue to be addressed. **Commissioner Bradford** replied that the current wastewater system is permitted by MDE, which has strict reporting requirements for the spray site, and requires monitoring. With upgrades there will be additional flow when it gets to the 80% capacity threshold, and new

requirements for the spray site nutrient management. Chair Fisher thanked him and asked for someone to follow up with the nutrient removal capacity prior to application, and then any expected nutrient loads post application.

Commissioner Gillis asked followup questions about the wastewater treatment, water treatment requirements. He hoped the Commission would be able to discuss mitigation concerns.

Commissioner McCall said she was curious about MDE's feedback around the wetlands of special State concern, and how they would respond to that, especially related to Commissioner Wilson's concerns about the impacts to wetlands and to FIDS habitat. Fragmentation of habitat causes a ripple effect of damage. She also asked about the status of the mitigation site, which in part can't be used because it's part of a timber harvest. Has an alternative site been identified? **Ms. Hayden** replied that they only just found out about the timber harvest plan, so a new site is yet to be identified.

Commissioner Herr Cornwell asked whether the impacts to the wetlands of special state concern would be temporary or permanent? If the plan is to put in additional campsites that would increase the activity and impact on the buffer. In response, **Commissioner Bradford** mentioned a letter from DNR's Wildlife and Heritage department about the wetland safety concern, which broke the area up into a northern and southern portion. The northern portion was not of concern, the southern portion possibly more. The wetland impacts were reportedly 5,220 square feet of temporary impact to the non-tidal buffer. **Commissioner Herr Cornwell** followed up by noting that the County is currently drafting their updated Comprehensive Plan. In reviewing the draft plan, it was noted the County is actually expanding their priority preservation area. Wondering if the proposed plan supports this project versus the existing comp plan. **Commissioner Bradford** said he would look into it, as it's a rather large update and he couldn't remember exactly what this area was calling for. **Commissioner Herr Cornwell** in closing stated she would like to see more information on the impacts from climate change.

Commissioner Richards followed up on the last comment about climate data as it relates to this site, stating she was particularly interested in hydric soils and marsh migration corridors, especially as it relates to the spray effluent proposal. Also concerned that the additional campsites are going to have an impact on the surrounding wetlands.

Chair Fisher asked for CAC staff to clarify the applicability of the climate provision to this project, stating there may be some exemptions in effect. **Ms. Hayden** stated that discussions around this project have been ongoing since well before the climate provision was in place. **Dr. Kelly** added that the GA was approved by the county commissioners in January, 8 months before HB 233 was enacted in October 2024. The mapping mistake wasn't approved until March 2026. Because of the initial timing of the commissioners' local approval and the subsequent request of the mapping mistake, the climate equity consideration were determined to be inapplicable to this growth allocation.

Mr. Mark Spencer Cropper stated he wanted to briefly address the comprehensive plan issue. The campground was a legal use as originally approved and when the Worcester County Commissioners adopted their most recent comprehensive zoning map in 2009, as well as after updates to the zoning code, a campground was no longer a permitted use in only the A2 zone, which is why the property was rezoned to avoid it being considered a nonconforming use. In order to rezone it, it had to be proven that the reasoning was consistent with the county comprehensive plan. This growth allocation also went to the planning commission and then the county commissioners and both found the GA to be consistent.

Chair Fisher said he was interested in hearing more detailed information on the stormwater plans, particularly about the specifics for capturing the stormwater and treating it before it hits any wetlands on the site. **Commissioner Bradford** replied that the report that was submitted does break out the BMPs that are being used for treatment and where they're meeting their ESG requirements. **Brian Soper (Worcester County)** shared the map that outlined the stormwater plans. The site is located within the 500 year flood plane. **Chair Fisher** asked about present day storm surge risk, and **Ms. Hayden** responded that she believes it's a category two. Chair Fisher asked if anyone could speak to what might be left behind in a category 2 situation, as far as the risks to the environment associated with a coastal flood. Would the treatment plant itself be vulnerable? Are there storage tanks with hazardous materials? Is there significant construction that could become mobile in a flood with velocity? Commissioner Bradford replied that there are two or three other waterfront campgrounds in the county. Typically during an evacuation process, all the site systems are closed off so you don't have the risk of running salt water through the system.

Brian Soper mentioned the Maryland Flood maps. As far as coastal hazards where the proposed lots would be located, it doesn't show any vulnerability until the 5-10 foot inundation level.

Commissioner Bunker asked if the use of ATVs or mountain bikes would be allowed, noting concern that those could negatively impact the environment in the sensitive areas. **Commissioner Bradford** replied that they're not allowed now, so wouldn't be allowed in any subsequent expansion.

Dr. Kelly summarized the outstanding questions that the County and campground owner would need to address.

- New mitigation site based on the original site being part of a timber harvest plan.
- Additional information from MDE on wastewater, where it's going as well as impacts on potential habitat protection areas
- Updated letter from Wildlife and Heritage service on rare, threatened and endangered species.
- Clarify the impacts on the 100 foot buffer.

Meeting adjourned at 2:45.

Next meeting of the Project Committee will be on May 20, 2026.