

# *Critical Area Commission*

## **STAFF REPORT January 15, 2025**

<b>APPLICANT:</b>	St. Mary's County Recreation and Parks
<b>PROPOSAL:</b>	Snow Hill Manor Park Boat and Kayak Launch
<b>JURISDICTION:</b>	St. Mary's County
<b>COMMISSION ACTION:</b>	Vote
<b>STAFF RECOMMENDATION:</b>	Approval with Condition
<b>STAFF:</b>	Katie Hayden
<b>APPLICABLE LAW/ REGULATIONS:</b>	COMAR 27.02.06 Conditional Approval of State or Local Agency Programs in the Critical Area

### **DISCUSSION**

St. Mary's County Recreation and Parks is seeking approval at Snow Hill Manor Park to construct a boat launch, kayak launch, access roads and parking for beach access, kayak launch users, boat launch users, and users of the park's other amenities including a new playground and pavilion. The project's purpose is to increase public boat access in the county and to increase recreational opportunities for county residents. The project site is located entirely in the RCA and a portion of the project site is located in the 200-foot Critical Area Buffer.

The proposed project design incorporates the Project Subcommittee's recommendations from July 24, 2024 as further detailed below. However, even with the reduction of impacts, this project will require Conditional Approval from the Critical Area Commission under COMAR 27.02.06 for non-water dependent impacts to the Buffer (i.e., parking spaces in the Buffer).

Commission staff recommends approval with conditions. A copy of the site plan is attached (Attachment 1).

### **BACKGROUND**

Snow Hill Park is a 163.35-acre county-owned waterfront property, of which 93.45 acres is located in the Critical Area on lands designated as Resource Conservation Area (RCA). The park is located on the Patuxent River, north of Solomons Bridge (Route 2/4), and directly across from Broome's Island in Calvert County. Public water access in this area of St. Mary's County is fairly limited, particularly for trailered boats and swimming. Currently, the park is minimally

developed with a beach, portable restrooms, pavilion, accessible playground, and picnic/grill areas. There are also trails through the forested area on the southern side of the park that are utilized year-round by visitors for walking. Approximately 30 acres of the property is actively farmed through a lease with the county. There are also 2 dwellings on the property that are vacant and 10 agricultural buildings/barns that exist throughout the property.

St. Mary's County Parks and Recreation developed a Master Plan for the property, which was adopted by the county Commissioners in September of 2023. While the Master Plan was not submitted to the Critical Area Commission for review and approval, the county is submitting development plans for each component of the Master Plan (Attachment 2) as funding becomes available. The vision outlined in the Master Plan expresses a desire to provide the following amenities to the park:

- Multi-generational recreational opportunity to the beach and water;
- A boat ramp for the community (first priority amenity);
- A community kayak launch (first priority amenity);
- Gathering spaces for individuals and families;
- ADA accessible paths and site facilities for visitors of all physical abilities;
- A playground area for children and their caregivers;
- Trails to access the natural world; and
- Educational opportunities about both the natural world and agriculture.

The playground area and park pavilion were completed in 2023 using St. Mary's Comprehensive Zoning Ordinance impervious surface trading provisions. These projects resulted in over 6,213.76 square-feet of lot coverage being removed within the Buffer. The projects were approved under a Critical Area consistency report.

The boat ramp and kayak launch construction is proceeding under a \$500,000 grant from the Maryland Department of Natural Resources (DNR) Waterway Improvement Fund. The remaining planned improvements in the Master Plan will be dependent on funding as it becomes available and will require future Commission review and approval.

### **Project Subcommittee Discussion/Proposed Redesign**

St. Mary's County brought this project before the Project Subcommittee on July 24, 2024, for information only. During that meeting, the Project Subcommittee requested the county to reconsider the parking design and reduce the number of parking spaces for cars in the Buffer as well as consider reducing the overall number of parking spaces to only what is needed for the proposed boat and kayak launch and existing park uses. Additionally, the Project Subcommittee requested more information on the Master Plan and future amenities in the Buffer. Specifically, the Project Subcommittee wished to ensure that no new structures would need to be added for the future amenities proposed in the Buffer as part of the Park's Master Plan.

Since the Project Subcommittee meeting and a subsequent onsite meeting between Commission staff (including the Commission Chair) and St. Mary’s County Recreation and Parks, the county has proposed a redesign of the project that includes relocating 14 car parking spaces to outside of the Buffer and reducing overall car parking onsite by 19 spaces.

In regard to the Commission’s concerns surrounding structures in the Buffer, no new structures would need to be constructed for future amenities proposed in the Buffer as part of the Park’s Master Plan. However, existing buildings and lot coverage within the Buffer, including two barns, a building, and a house, may be repurposed for future amenities such as a restroom facility, environmental center, recreation building, and pavilion.

**PROPOSED IMPACTS**

This project involves the installation of a boat ramp and a kayak launch, accompanying access roads, and parking areas. The project site is located entirely in the RCA and a portion of the project site is located in the 200-foot Critical Area Buffer. The kayak launch will be located on the western side of the property, which fronts a tidal pond called Roslin Creek. The boat ramp will be located on the south side of the beach area. Attachment 1 provides a sketch of the proposed impacts.

The current proposal includes the installation of 122 parking spaces: 93 car parking spaces (7 of which are ADA and 4 of which are for emergency vehicles) and 28 boat parking spaces (one of which is ADA). Of the total 122 spaces, 13 spaces are proposed in the 200-foot Buffer: 5 ADA parking spaces (1 of which is for a boat and 4 for cars), approximately 6 boat parking spaces, and 2 emergency vehicle parking spaces.

Compared to the proposal reviewed by the Project Subcommittee in July 2024, the overall number of parking spaces has been reduced by 19, and 14 spaces have been relocated to areas outside the Buffer.

**Buffer Impacts**

Approximately 0.91 acres (39,579 square feet) of proposed lot coverage will be located within the 200-foot Buffer. The breakdown of the Buffer impacts and associated mitigation are provided within *Table 1.0, Impacts and Mitigation*. Total Buffer Mitigation required is 2.09 acres.

Table 1.0 – Impacts and Mitigation

<b>Buffer Impact Type</b>	<b>Impacts (SF)</b>	<b>Mitigation Ratio (SF)</b>	<b>Total Required Mitigation (SF)</b>
Water dependent			
Ramp, Boat Launch, & Roads	23,966	2:1	47,932
Non water dependent (parking)			

5 ADA parking	3,707	2:1	7,414
6 boat parking 2 emergency vehicle parking	11,906	3:1	35,718
<b>Total Buffer Mitigation Required</b>			<b>91,064 (2.09 acres)</b>
<b>Total Buffer Mitigation Provided</b>			<b>108,688 (2.50 acres)</b>

The county is proposing 2.50 acres (108,688 SF) of plantings in the Buffer which will satisfy mitigation requirements. In addition, the county is proposing 1.01 acres (44,099 SF) of plantings outside the Buffer on-site. The plantings will be spread out across four areas which are shown in Attachment 3. As an added benefit, the plantings in Area 1 (1.23 acres) will be adjacent to Forest Interior Dwelling Species (FIDS) habitat, and therefore will expand FIDS habitat on-site in the RCA.

**Tidal and Nontidal Wetlands**

Portions of the boat and kayak launch will disturb tidal wetlands. The boat ramp and pilings in particular will extend approximately 120 linear feet into tidal waters. Approval for these impacts and associated mitigation is pending by Maryland Department of Environment.

**Forest Clearing**

No forest clearing is proposed.

**Lot Coverage**

The existing lot coverage at the park is 2.52 acres (110,030 SF). The proposed development will result in an additional 2.37 acres (103,077 SF) of lot coverage, which will keep the total lot coverage for the park at 4.89 acres (213,107 SF), which is under the required 15% limit of 14.01 acres (610,602 SF).

St. Mary’s County is providing mitigation at a 1:1 ratio for the amount of lot coverage added outside of the Buffer (64,498 SF). This will result in an additional 64,498 SF of mitigation for the lot coverage proposed outside the Buffer which is accounted for in the overall 3.51 acres of mitigation provided for this project.

**PERMITS AND REVIEW BY OTHER AGENCIES**

Stormwater Management and Erosion and Sediment Control Plans

The stormwater management and erosion and sediment control plans are pending approval by St. Mary’s County. Stormwater is proposed to be met through the use of a submerged gravel wetland and grass swales.

Maryland Department of Environment/United States Army Corps of Engineers

Approval for impacts to tidal wetlands is pending by both the Maryland Department of the Environment and the United States Army Corps of Engineers.

Maryland Department of Natural Resources – Wildlife and Heritage Service

In a letter dated June 24, 2022, the Wildlife and Heritage Service determined that there are no official State or Federal records for listed plant or animal species, but the project area contains FIDS habitat. The letter also noted that Portions of the boat and kayak launch are within and/or adjacent to Waterfowl Concentration and Staging areas. Therefore, construction of these water-dependent facilities would be prohibited between November 15 and March 1 to reduce disturbance to wintering waterfowl.

Maryland Historic Trust

The Maryland Historical Trust identified an archaeological site adjacent to the proposed boat ramp. This area is to remain undisturbed.

**Public Notification Requirements and Comments**

In accordance with the provisions of COMAR 27.03.01.03, signage was posted at the project site and notice of the project was posted in the *Southern Maryland News* on December 13, 2024. As of the writing of this staff report, no public comments related to this project have been received. Any comments received will be noted at the Project Subcommittee and Commission meetings.

**CONDITIONAL APPROVAL PROCESS (COMAR 27.02.06.01)**

To qualify for consideration by the Commission for conditional approval, it shall be shown by the proposing or sponsoring agency that the project has the following characteristics. Responses were supplied by the county and summarized by Commission staff:

*B. (1) That there exists special features of the site or there are other special circumstances such that the literal enforcement of these regulations would prevent a project or program from being implemented;*

- The DNR Center for Waterway Improvement & Infrastructure and St. Mary's County wanted to have a boat ramp with a boat trailer parking located at this park. The design of the boat and kayak launch has been amended such that the majority of nonwater dependent improvements (i.e., parking spaces) are located outside the Buffer to the greatest extent practicable. Parking spaces for cars in the Buffer are restricted to only ADA vehicles and emergency service vehicles.

*B. (2) That the project or program otherwise provides substantial public benefits to the Critical Area Program;*

- The project will provide public access to the Patuxent River by boaters. There is a lack of public boat access in St. Mary's County and this project will improve access for the public.

*B. (3) That the project or program is otherwise in conformance with this subtitle;*

- The county has attempted to reduce environmental impacts to habitat and water quality to the greatest extent practicable while maintaining the character of the park and achieving the design goals. The project will not result in the removal of vegetation onsite. The county explored implemented permeable pavement as an offset for the additional lot coverage, but the soil composition is not conducive to such practices. As an alternative, grass swales will be utilized primarily outside the Buffer. Additionally, a submerged gravel wetland will be installed inside the main parking area to collect stormwater. Lastly, portions of the Buffer will be reforested with native trees and vegetation to address mitigation requirements.

*The conditional approval request shall, at a minimum, contain the following:*

*C. (1) A showing that the literal enforcement of the provisions of this subtitle would prevent the conduct of an authorized State or local agency program or project;*

- The nonwater dependent improvements resulting in the need for conditional approval are the proposed parking spaces in the 200-foot Buffer. The county has reduced the total number of car parking spaces by 19 spaces. Furthermore, the new parking configuration places all the car parking spaces outside the Buffer except for 4 ADA car parking spaces, 1 ADA boat trailer parking space, and 2 emergency vehicle parking spaces. These spaces were necessary in part due to the sloped 0.5-mile path from the main parking area outside the Buffer to the kayak launch. Additionally, approximately 6 boat parking spaces are situated within the Buffer. The remaining 22 boat parking spaces are placed outside the Buffer. The design of the boat parking spaces was to ensure that there was enough parking for boaters while also ensuring that there was enough space for the submerged gravel wetland proposed outside the Buffer to treat stormwater from the proposed parking.

*C. (2) A proposed process by which the program or project could be so conducted as to conform, insofar as possible, with the approved local Critical Area program or, if the development is to occur on State-owned lands, with the criteria set forth in COMAR 27.02.05;*

- The county has conducted the project to conform to the St. Mary's County Critical Area program as much as possible while still meeting project requirements on-site and within the Buffer. The number of total car parking spaces has been reduced by 19 spaces. Additionally, car parking spaces have been relocated to outside the 200-foot Buffer except for 4 ADA parking spaces, 1 ADA boat trailer parking space, 2 emergency vehicle parking spaces, and approximately 6 boat trailer parking spaces. Lastly, the proposed improvements will be within the allowed lot coverage for a lot of this size and no clearing of forest or developed woodlands is proposed.

*C. (3) Measures proposed to mitigate adverse effects of the project or program or an approved local Critical Area program or, if on State-owned lands, on the criteria set forth in COMAR 27.02.05*

- The county is providing mitigation in the form of reforestation both inside and outside the 200-foot Buffer and adjacent to existing forest areas. Additionally, a submerged gravel wetland and grass swales will be installed to address stormwater onsite.

*The Commission shall approve, deny, or request modifications to the request for conditional approval based on the following factors:*

*E.(1) The extent to which the project or program is in compliance with the requirements of the relevant chapters of this subtitle;*

*E.(2) The adequacy of any mitigation measures proposed to address the requirements of this subtitle that cannot be met by the project or program; and*

*E.(3) The extent to which the project or program, including any mitigation measures, provides substantial public benefits to the overall Critical Area Program.*

## **RECOMMENDATION**

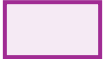




Commission staff recommends that the Critical Area Commission approve the Snow Hill Manor Park Boat and Kayak Launch with the following conditions:

1. Prior to the start of construction, St. Mary's County shall submit all local, state and federal authorizations/approvals to Commission staff including:
  - a. The Maryland Department of the Environment tidal wetlands permit;
  - b. United States Army Corps of Engineers permit; and
  - c. Final stormwater management and erosion and sediment control plan approvals from St. Mary's County.
2. Within 60 days from Critical Area Commission approval, St. Mary's County will need to submit to Commission staff the signed Planting Agreement.



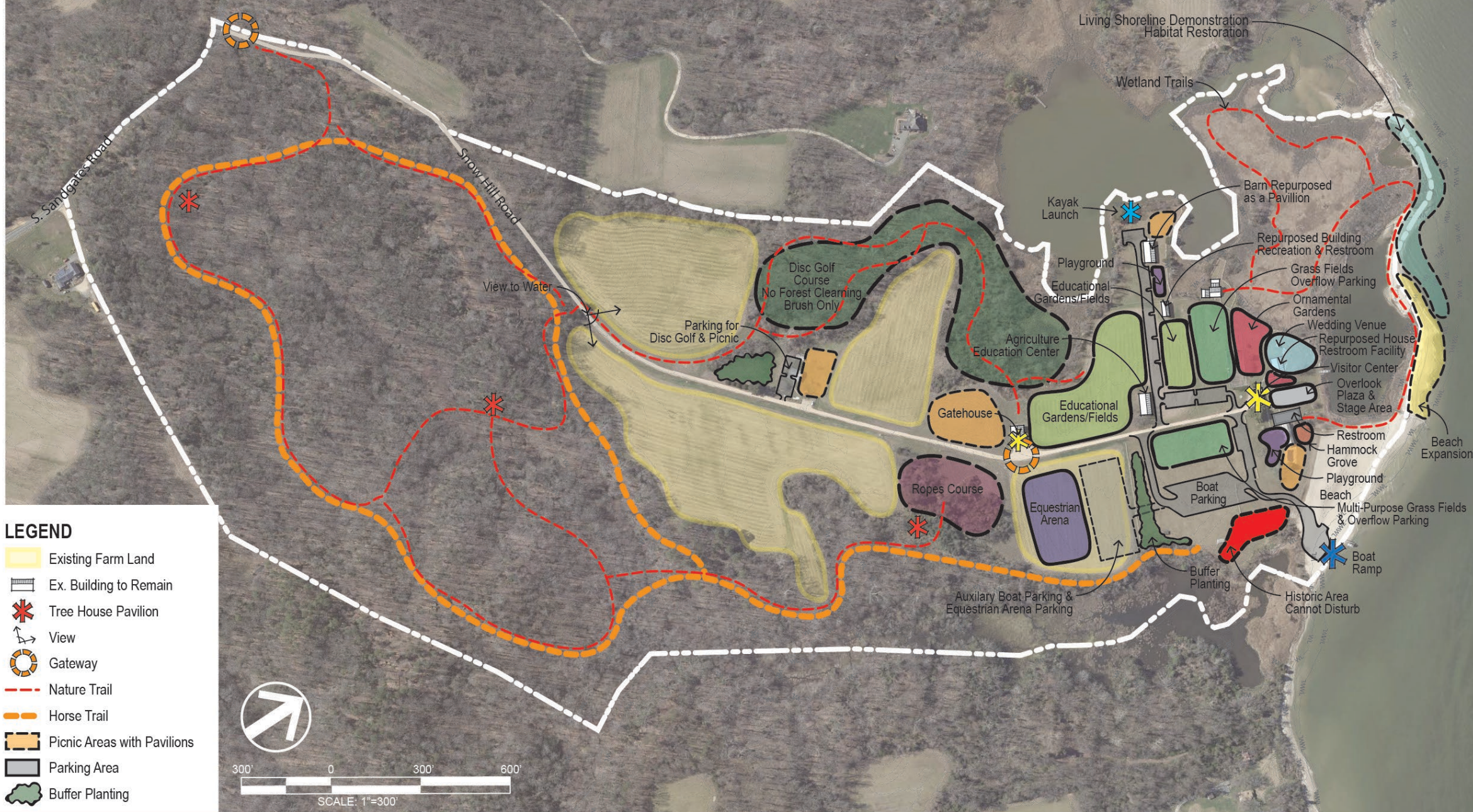
**Kayak  
Launch**

**Boat  
Ramp**

-  Critical Area Buffer
-  Road
-  Parking
-  Parking in the Buffer
-  Lot coverage removed







# Snow Hill - Final Concept

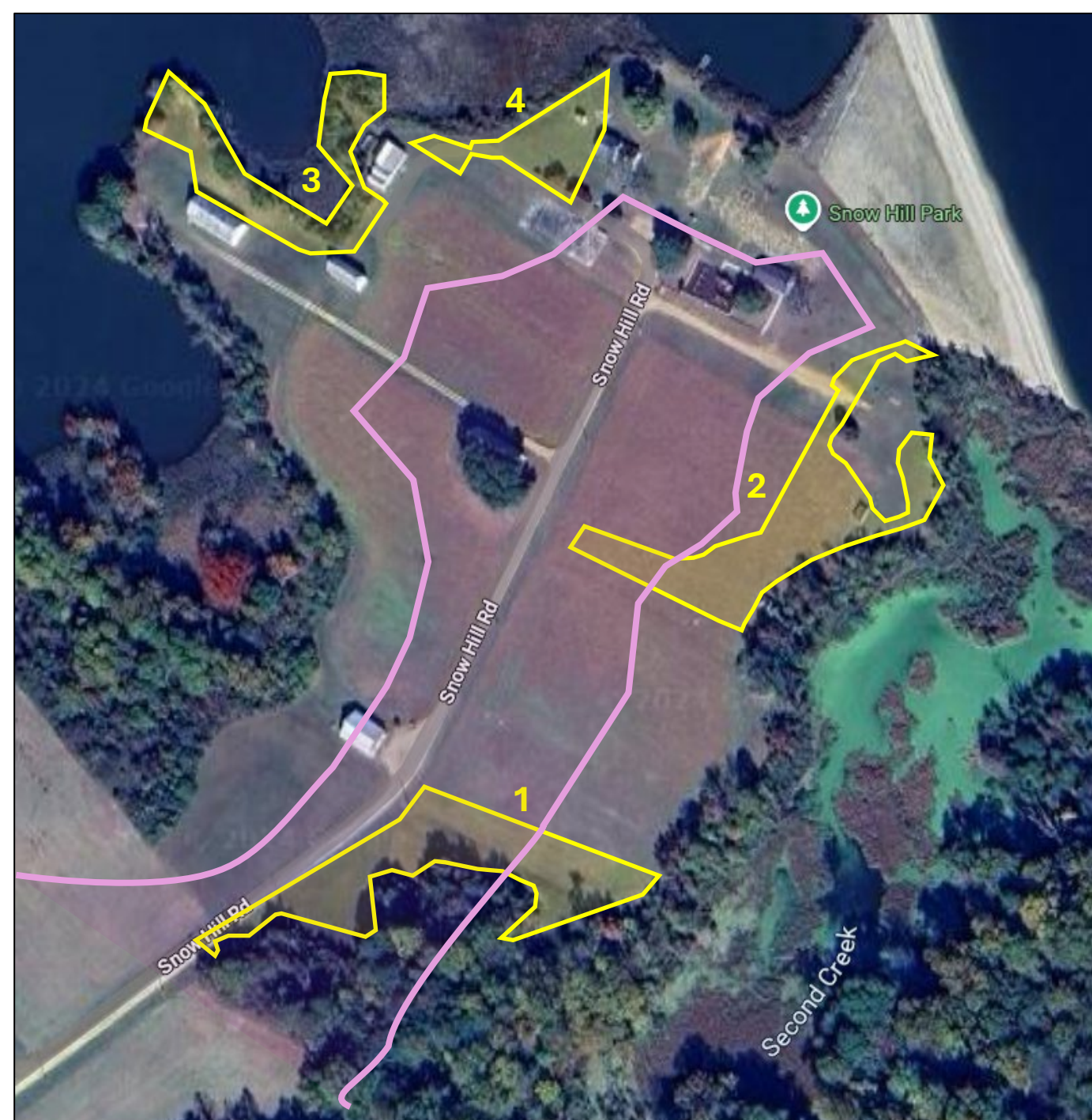



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 Proposed Planting Areas  
(3.51 acres total with 2.5 acres in Buffer)

 Approximate Critical Area Buffer