

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

**December 13, 2023**

**Program Implementation Subcommittee Minutes**

**Subcommittee Members in Attendance:** *Bunker (Chair), McCall, B. Hance, Herr-Cornwell, Hewitt, Mulkey, Porter, Richards*

**Guests:** Kelly Krinetz

**Item 1. Approval of November Minutes**

Commissioner Hewitt motioned to approve the November Program Subcommittee Minutes. Commissioner Mulkey seconded the motion. All voted in favor. Minutes approved.

**Item 2. Refinement: Galesville Growth Allocation (Anne Arundel County)**

Presented by Jennifer Esposito

Anne Arundel County is requesting growth allocation to change the designation of 0.561 acres of LDA to IDA to allow for infill redevelopment of a legally nonconforming parcel that is zoned for commercial use.

**Discussion:** Commissioner Bunker commented that there didn't seem to be any language in the approval from the County that explicitly protects the historic site. Ms. Krinetz responded that the property is in the state historic register, and must therefore be preserved. It was in danger of demolition due to being abandoned by the owners. Due to the restrictions on the property it was difficult to sell, and this plan was developed to save it. Commissioner Mulkey motioned to concur approve the growth allocation request. Commissioner Hance seconded the motion. All in favor. Motion passed unanimously.

**Item 3: Town of Queenstown – Text Amendment for Water Dependent Facilities and Activities and Nonwater-Dependent Projects (Queen Anne's County)**

Presented by Susan Makhoul

The Town of Queenstown is proposing a text amendment to update both the Water-Dependent Facilities and Activities and Nonwater-Dependent Projects provisions in the Town's Critical Area Program. The updates to the Water-Dependent provisions are consistent with the recent regulatory updates to COMAR Title 27. The updates to the Nonwater-Dependent provisions are also consistent with COMAR and are intended to simplify the code with citations.

**Discussion:** None. Commissioner Hewitt motioned to concur with the Chair's determination of refinement. Motion was seconded by Commissioner Adams. **Motion passed unanimously.**

**Item 4: Armored Storage Growth Allocation – Update on Forest Mitigation Plan and Easement Condition of Approval (Subcommittee Vote Only)**

Presented by Susan Makhoulf

On June 7, 2023, the Chair approved the Armored Storage growth allocation request to change 2.811 acres of Limited Development Area (LDA) to Intensely Developed Area (IDA). The growth allocation was approved with conditions, one of which was a mitigation plan. Queen Anne's County subsequently submitted a draft Deed of Critical Area Forest Protection Easement and draft Forest Mitigation Plan for this site. The 1.616 acres of mitigation will be located offsite on land owned by the developer of the Armored Storage project. The property is located in Chester, Maryland, adjacent to Goodhand Creek, and is approximately one mile from the Armored Storage site. Critical Area staff recommend approval of the Mitigation Plan with conditions, including removing Red Cedars and pines from the planting list, to be replaced with willow oaks and black gum, or other appropriate trees, that are more suited to wet conditions.

**Discussion:** Commissioner Richards noted that the trees will not be planted in the same watershed, and asked if that was common. Ms. Makhoulf responded that in general the preference is for the plantings to be as close to the impacted area as possible, but there's no specific requirement for it to be in the same watershed.

Commissioner Porter motioned to approve the mitigation plan with the conditions outlined in the staff report. Commissioner Herr-Cornwell seconded the motion. **Motion passed unanimously.**