

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

August 12, 2026

Program Implementation Committee Minutes

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

Guests: Jesse Drewer, William Cornish, Catherine Skeeter (Somerset County)

1. Welcome and Roll Call:

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

2. Approval of Minutes from July 1, 2026

- Motion to Approve: Commissioner Wilson
- Second: Commissioner Mulkey
- Vote: The minutes were approved unanimously.

3. REFINEMENT – MOTION REQUIRED: City of Aberdeen (Harford County) – Comprehensive Review

Presenter: Kate Durant. Recommend Concurrence with the Chair's determination of refinement; Approval.

Ms. Durant presented, in accordance with the staff report, the contents of which are incorporated into and made part of the minutes. The City of Aberdeen recently completed an effort to update their Critical Area program as required by State law. On March 9, 2026, the Aberdeen City Council voted to update the City's Critical Area program through the adoption of Ordinance No.25-O-16. The updated ordinance includes a new subsection entitled, § 235-18 M. Critical Area Overlay District. The proposed updates ensure compliance and consistency with the Critical Area law and regulations.

Discussion: None.

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

Second: Commissioner McCall

Motion passed unanimously.

4. REFINEMENT – MOTION REQUIRED: City of Aberdeen (Harford County) – Boundary Map Update

Presenter: Kate Durant. Recommend Concurrence with the Chair's determination of refinement; Approval.

Ms. Durant presented, in accordance with the staff report, the contents of which are incorporated into and made part of the minutes. The City of Aberdeen is requesting approval of an update to their Critical Area map. Under Critical Area law and COMAR 27.01.11, each local jurisdiction is required to update the 1,000-foot Critical Area boundary using the best available information and technologies every 12 years. This is the first boundary line update for the Town.

Discussion:

Commissioner Gillis & Commissioner Huffer raised questions regarding land use changes, density increases, and potential development pressures resulting from the 28-acre net loss. Staff clarified that the loss reflects removed boundary extensions beyond the true 1,000-foot boundary, with underlying local floodplain protections remaining intact.

Motion for Concurrence: Commissioner Wilson

Second: Commissioner Gerthoffer

Vote: All in favor. Motion passed unanimously.

5. REFINEMENT – MOTION REQUIRED: Town of Secretary (Dorchester County) – Boundary Map Update

Presenter: Jon Coplin. Recommend Concurrence with the Chair's determination of refinement; Approval.

Mr. Coplin presented, in accordance with the staff report, the contents of which are incorporated into and made part of the minutes. The Town of Secretary is requesting approval of an update to their Critical Area map. Under Critical Area law and COMAR 27.01.11, each local jurisdiction is required to update the 1,000-foot Critical Area boundary using the best available information and technologies every 12 years. This is the first boundary line update for the Town.

Discussion:

Commissioner Wilson inquired about northern forested areas designated as LDA versus RCA. Staff (Bob Cicconetti & Lisa Hoerger) clarified that existing property designations remain unchanged during remapping unless new areas are incorporated for the first time.

Motion for Concurrence: Commissioner Herr-Cornwell

Second: Commissioner Gillis

Vote: All in favor. Motion passed unanimously.

6. REFINEMENT – MOTION REQUIRED: Town of Vienna (Dorchester County) – Boundary Map Update

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

Mr. Coplin presented, in accordance with the staff report, the contents of which are incorporated into and made part of the minutes. The Town of Vienna is requesting approval of an update to their Critical Area map. Under Critical Area law and COMAR 27.01.11, each local jurisdiction is required to update the 1,000-foot Critical Area boundary using the best available information and technologies every 12 years. This is the first boundary line update for the Town.

Discussion: None.

Motion for Concurrence: Commissioner Herr-Cornwell

Second: Commissioner McCall

Vote: All in favor. Motion passed unanimously.

7. Somerset County – Kingsbay Growth Allocation

Presenter: Annie Sekerak. Recommend: Concurrence with Chair's Determination; Return with a List of Changes to be Made.

Ms. Sekerak presented, in accordance with the staff report, the contents of which are incorporated into and made part of the minutes. The Board of Somerset County Commissioners have approved a growth allocation request to change 6.28 acres of Resource Conservation Area to Limited Development Area in order to expand potential uses at the Kingsbay Bed & Breakfast property.

Discussion:

Commissioner Wilson: Noted Somerset County's economic conditions and argued an already-developed parcel is preferred for Growth Allocation over undeveloped woods, provided septic is upgraded to BAT (Best Available Technology).

Commissioners Huffer, Gillis, Mulkey, & Herr Cornwell: Raised serious concerns regarding processing a broad "palette of potential uses" without an actual site plan or concrete development proposal. Concerns were also raised about, if this project were to be approved as proposed, setting a negative precedent and creating growth nodes in protected areas.

Legal/Procedural Context (*Nick Kelly & Emily Vainieri*): Questions were asked about whether the proposal before the Commission could be placed on hold, or if a decision by the Commission could be delayed. Ms. Vainieri and Dr. Kelly stated that holding/delaying an application must be requested by the jurisdiction. Dr. Kelly also noted that if the growth allocation were denied outright, future re-applications after October 1, 2026, will fall under revised statutory definitions that eliminate the option to allow "adjacency across water." The County, however, could implement "non-adjacency" language to help provide opportunities to allow future growth allocation at the site.

Motion for Concurrence: Commissioner Mulkey moved to concur with the Chair's determination to process the request as a refinement, but DENY the growth allocation request on the grounds that it fails to meet the required 300-foot buffer setback and climate resiliency growth allocation standards, and lacks specific site development plan details.

Second: Commissioner Gillis

Vote:

In favor: Burris, Gerthoffer, Gillis, Herr-Cornwell, Huffer, McCall, Mulkey, Richards.

Opposed: Wilson, Bunker.

Abstained: Etherton.

Guidance Provided for Future Submissions:

Should the applicant/County re-apply, the Committee requested:

1. Upgrading existing wastewater systems onsite to BAT technology.
2. Including specific shoreline restoration/resilience designs and stormwater management concepts.
3. Providing an explicit specification of intended land uses rather than an exhaustive list.
4. Including a demonstration of environmental justice benefits addressing local community impacts.

Meeting adjourned at 1:35.

Next meeting of the Program Committee will be on September 23, 2026.