

**CRITICAL AREA COMMISSION**  
**CHESAPEAKE AND ATLANTIC COASTAL BAYS**  
1804 West Street, Suite 100  
Annapolis, Maryland 21401

**MEMORANDUM ADDENDUM**

To: Program Committee, Critical Area Commission

From: Annie Sekerak, Natural Resources Planner

Date: January 14, 2026

Subject: Robinson Terminal Growth Allocation (Town of Indian Head)

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This memorandum is an addendum to the memorandum dated August 8, 2025 (Attachment 1), which outlined the Town of Indian Head's request for preliminary feedback from the Program Committee regarding a potential growth allocation to reclassify 6.76 acres of Limited Development Area (LDA) to Intensely Developed Area (IDA).<sup>1</sup> During the Program Committee meeting on August 8, 2025, the following topics were discussed:

- Options on how to address the mapping discrepancies from the previous 1993 growth allocation approval;
- Mitigation considerations for the proposed forest clearing;
- Climate resilient stormwater management practices, including considerations for how removing over nine acres of forest may impact the amount of phosphorus in the post-development runoff from the site;
- The status of Maryland Department of the Environment's review of proposed nontidal wetland impacts; and
- The accuracy of the Critical Area Buffer delineation, including the required expansion for steep slopes and hydric soils.

Representatives for the growth allocation (the Town's Zoning Administrator and consultants for the project's developer) have requested to return to the Program Committee to provide a second informational update on the revisions made to the concept site plan (Attachment 2) and growth allocation request based on the Program Committee's feedback. Town staff and representatives wish to highlight how the Committee's previous questions and comments have been addressed and receive additional feedback and guidance prior to submitting the growth allocation request for official approval.

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<sup>1</sup> It is noted in the original memo that the Town Council approved the growth allocation application on June 2, 2025; however, it is our understanding that a separate text amendment to amend the growth allocation section of the Town code was approved by the Town Council, not this growth allocation request. In order for this growth allocation request to be accepted for review by the Critical Area Commission, the Town must formally approve the growth allocation, including the findings for the Growth Allocation Standards and Factors (COMAR 27.01.02.06-3.E-F) and the map showing the Critical Area land classification change.

Program Committee Memorandum Addendum  
Robinson Terminal Growth Allocation, Town of Indian Head  
January 14, 2026  
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If you have any questions prior to the upcoming Program Committee meeting on January 14, 2026, please contact Annie Sekerak at [ann.sekerak@maryland.gov](mailto:ann.sekerak@maryland.gov) or (410) 260-3466.

#### ATTACHMENTS

1. Memorandum dated August 8, 2025
2. Revised concept site plan

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**MEMORANDUM**

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The Town of Indian Head is requesting preliminary feedback from the Program Committee regarding a potential growth allocation to reclassify 6.76 acres of Limited Development Area (LDA) to Intensely Developed Area (IDA). The Town Council approved the growth allocation application on June 2, 2025. The subject property is owned by Robinson Terminal Warehouse Corporation, a subsidiary of the Washington Post, and is located along the Potomac River on the north side of MD Route 210 (Indian Head Highway) in the Town of Indian Head. The purpose of this preliminary Program Committee discussion is to provide general feedback to the Town regarding the proposed growth allocation request, especially given that this is the first growth allocation to be reviewed under the new climate resiliency location standard and environmental justice factor to be considered by the Commission, which were added to the Critical Area Law in 2024.<sup>1</sup>

**SITE DESCRIPTION**

The subject parcel (Tax Map 11, Parcel 142) is located partially within the Critical Area with a split designation of IDA and LDA. Approximately 5.84 acres are designated as IDA and approximately 10.38 acres are designated as LDA. A portion of the property is also located within the Critical Area Buffer, which has been expanded for steep slopes. The entire parcel is currently undeveloped (except for 10,782 square feet of lot coverage within the LDA portion) and mostly forested.

The existing IDA onsite was approved for growth allocation by the Critical Area Commission in 1993 as an amendment to the Town's Critical Area program.<sup>2</sup> The intent of the growth allocation was to establish a warehouse and distribution center for the Washington Post; however, the site was never developed. That growth allocation was approved without any

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<sup>1</sup> Chapter 424 of the 2024 session of the Maryland General Assembly added a new growth allocation climate resiliency location standard and a new environmental justice factor for growth allocation requests.

<sup>2</sup> Critical Area staff are coordinating with the Town to determine the exact acreage of the 1993 growth allocation. Per the staff report, the growth allocation was 9 acres; however, according to recent communication with the consultant working with the Town on the current growth allocation request, the 1993 request was approximately 5.8 acres. For the purposes of this memorandum, we are assuming the growth allocation is 9 acres.

conditions. Under that plan, 5.7 acres of forest would be cleared, and no mitigation was required. In addition, the approval letter noted that wildlife corridors must be maintained between designated onsite Habitat Protection Areas (fences and walls are restricted), that water quality impacts must be analyzed (for stormwater management purposes), and that any offshore impacts should be reviewed by the Department of Natural Resources. Finally, three acres of the site were to be donated from the site to the Town to be used as a park.<sup>3</sup>

### **Proposed Site Development**

The current growth allocation proposal includes a request to reclassify an additional 6.76 acres of LDA to IDA (Attachment 1) and to subdivide the property to accommodate approximately 22 new residential townhome buildings containing 147 units. Within the Critical Area, 17 townhome buildings containing 114 units and portions of 3 other townhome buildings containing 17 units are proposed. The project, as currently proposed, includes 9.59 acres of total forest clearing and 9.73 acres of new lot coverage in the IDA.<sup>4</sup> There are no forest clearing or lot coverage limits within the IDA. The proposed project is required to meet the Critical Area Commission's 10% stormwater phosphorus reduction requirements. No information regarding specific stormwater best management practices was provided by the Town in this preliminary submittal. No impacts are proposed in the remaining 3.62 acres of LDA onsite, which is proposed to be used for passive recreation opportunities for residents.

A copy of the preliminary subdivision plan associated with this growth allocation request is attached (Attachment 2).

### **Preliminary Environmental Report**

No impacts to the Buffer are currently proposed; however, it appears on the preliminary subdivision plan provided that the Buffer may need to be further expanded for steep slopes in some areas.<sup>5</sup>

Tidal waters, tidal wetlands, and nontidal wetlands are identified onsite. Impacts to nontidal wetlands and their buffers are proposed. Review and authorization by the Maryland Department of the Environment (MDE) and U.S. Army Corps of Engineers (USACE) will be required. A

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<sup>3</sup> Based on staff research, it is unclear if this proffer was ever provided. According to information available on the Maryland Department of Assessments and Taxation website, the 3 acre parcel was transferred from Robinson Terminal Warehouse Corporation to a private citizen in 2016 for \$0. In 2020, that parcel was then sold to the Town. The parcel is entirely forested and includes a stream channel and steep slopes. It does not appear to be currently used as a park.

<sup>4</sup> Under the existing LDA designation and based on the amount of existing forest cover in the LDA, up to 3.11 acres (30%) of the forest can be cleared with a 1.5:1 mitigation ratio. In addition, up to 1.56 acres of lot coverage is permitted in the LDA portion with the 15% lot coverage limit. Given the growth allocation request to reclassify LDA to IDA, there will be no forest clearing or lot coverage limits in the proposed IDA.

<sup>5</sup> Per COMAR 27.01.09.01.E(7), the Buffer must be expanded for contiguous steep slopes at a rate of 4 feet for every 1% of slope or to the top of the slope, whichever is greater. Commission staff is coordinating with the applicant to confirm the Buffer delineation as portions of the project may need to be reconfigured if the Buffer is expanded.

grading study to determine the extent of wetland impact has recently been completed; however, a Joint Permit Application (JPA) has not been submitted to MDE.

Per the letter from the Department of Natural Resources (DNR) Wildlife and Heritage Service (WHS) dated October 30, 2024, there are no official State or Federal records for listed plant or animal species within the growth allocation area. However, the letter notes that Forest Interior Dwelling Species (FIDS) habitat may be present. Based on desktop review, the Critical Area Commission's Science Advisor has confirmed that the existing forest within the growth allocation area does not constitute FIDS habitat. In addition, WHS identified the open waters adjacent to the project site as historic waterfowl concentration and staging areas and noted that additional coordination will be required for any construction of water-dependent facilities.<sup>6</sup>

### **Climate and Equity Considerations**

Chapter 424 of the 2024 Laws of Maryland incorporated environmental justice and climate change considerations into the Critical Area law. These changes included the addition of a new growth allocation location standard and a factor to be considered by the Commission. The new location standard requires that local jurisdictions consider whether a newly intensified area may be vulnerable to the risks associated with climate change and if so, ensure measures are taken to reduce that vulnerability. The new factor requires the Critical Area Commission to consider a growth allocation's environmental impacts on underserved or overburdened communities.

Commission staff are actively working to develop regulations and guidance for local jurisdictions to incorporate these climate and equity considerations into their local Critical Area programs. An interim guidance document, which Commission staff presented to the Commission in March 2025, provides recommended resources and procedures for analyzing potential growth allocation sites under the lenses of climate resiliency and environmental justice between the effective date of the changes to the Natural Resources Article (October 1, 2024) and the passage of new regulations and local program updates reflecting these changes. The applicants used this guidance in evaluating the project for resiliency and equity considerations and provided the following responses.<sup>7</sup>

### **Climate Change Location Standard Information Provided**

- The project will have a design life of 60 years (2085).
- Since this project is residential in nature, it is considered to be non-critical infrastructure.
- The site is classified as having medium flood risk per Maryland's Coastal Resilience Criteria.
- The development envelope is located at an elevation of 28.0 feet, which is well above current and projected flood elevations, including FEMA floodplains and the CS-CRAB.
- Stormwater will be designed to Maryland Department of the Environment (MDE) standards.

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<sup>6</sup> At this time, no water-dependent facilities are proposed.

<sup>7</sup> Commission staff also performed an environmental justice desktop analysis using the updated EnviroScreen tool released by the Maryland Department of the Environment (MDE). Staff's findings are included in the summary.

- To enhance resiliency, the project will include the following:
  - Be designed on elevated terrain (+ 28 feet above sea level);
  - Lot layout and road alignment are designed to avoid low-lying areas and concentrate infrastructure in stable upland portions of the site;
  - The project will use Environmental Site Design standards for stormwater;
  - Floor elevations and grading will be established to direct surface runoff away from structures and roadways and reduce standing water during extreme events; and
  - Buffered swales will be used to slow and filter runoff.

#### Equity Considerations

- According to MDE's environmental justice (EJ) screening tool, MDEnviroScreen,<sup>8</sup> the subject property is located in a community that is overburdened and underserved. The site is located in a Census Tract that has an EJ score of 36.1, putting it in the 25<sup>th</sup>-50<sup>th</sup> percentile nationwide, which is considered a moderate level of environmental and social burdens. A copy of the MDEnviroScreen report is attached to this memo.
  - The EJ score represents a combined measure of pollution and the potential vulnerability of a population to the effects of pollution. Per the attached report, high-scoring indicators that contribute to this Census Tract's overall EJ score include the close proximity to a hazardous waste landfill (96.9<sup>th</sup> percentile), close proximity to a superfund site (98.2<sup>nd</sup> percentile), high lead paint exposure (77.2<sup>nd</sup> percentile), and the high number of asthma emergency room discharges (88<sup>th</sup> percentile).
  - In addition, the MDEnviroScreen Climate Vulnerability Score Tool indicates that only 49% of the Census Tract is covered by tree canopy and that the Census Tract is vulnerable to severe drought.
- Under the 2021 Tree Solutions Now Act (TSNA), the property is considered an urban area with a median household income of \$67,943, which is below the \$73,845-\$250,000 threshold. These two factors qualify the site as a TSNA "underserved" area.
- Under the Department of Natural Resources (DNR) Park Equity Mapper, the site received a score of 0.29. Higher scores mean that sites are less equitable and provide lower park access. Scores typically range between 0.02 and 0.69. A score of 0.29 means that new park resources may be needed, but that need is not as strong compared to other Census Block Groups in the area.
  - The Equity Mapper provides individual scores for many factors to develop an average; for this site, the following had high scores:  
Population Density: 0.44  
Low Wealth: 0.60  
Youth Score: 0.56  
Non-White Score: 0.60

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<sup>8</sup> At the time of the submittal, the MDE EJ Screen Tool was offline. Subsequently, MDE released an updated version called MDEnviroScreen.

- The Town currently has three important park sites: Village Green, Mattingly, and Charlie Wright Park. These parks provide sports fields, playgrounds, basketball facilities, fishing piers, boat and kayak launches, and community space for large events.
- The DNR Greenspace Equity Mapper identifies the Census Tract as “underserved and overburdened.”
- The site is located within 10 miles of the Lower Potomac Water Trail and Mattawoman Creek Water Trail; the Town also completed its Riverwalk trail recently.

Commission staff will provide clarity on these outcome scores during the presentation.

## **GROWTH ALLOCATION REQUIREMENTS**

### **Growth Allocation Standards**

Natural Resources Article §8-1808.1(c) requires the Critical Area Commission to ensure that the growth allocation standards have been applied in a manner that is consistent with the purposes, policies, goals, and provisions of the Critical Area law and criteria. When locating new IDAs or LDAs, local jurisdictions shall use the following standards. The Town’s preliminary responses to those requirements that are most relevant to this growth allocation have been evaluated and are summarized by Commission staff below:

1. *Locate a new IDA in a LDA or adjacent to an existing IDA.*  
The proposed IDA is located in a LDA.

2. *A new IDA shall be at least 20 acres.*  
The Town has proposed a text amendment to update its Critical Area program to allow new IDAs less than 20 acres, which is being processed as a refinement. It will be reviewed by the Program Committee at the August 8, 2025 meeting and will go before the full Commission for concurrence at the August 20<sup>th</sup> meeting. This growth allocation will result in 12.6 acres of IDA.

3. *Locate a new IDA in a manner that minimizes impacts to habitat protection areas as defined in COMAR 27.01.09, and in an area and manner that optimizes benefits to water quality and impacts to the defined land uses of the Resource Conservation Area.*  
Impacts to nontidal wetlands and the nontidal wetland buffer are proposed.  
Applications for permit authorization have not been submitted as of the date of this memorandum.

4. *Locate a new IDA or LDA outside of areas vulnerable to climate change unless the local jurisdiction proposes and the Commission approves:*<sup>9</sup>

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<sup>9</sup> New standard per Chapter 424 from the 2024 legislative session.

- a. Areas identified by the local jurisdiction as vulnerable to climate changes as required under Natural Resources Article §8-1808(c)(1)(iii)16; and*
- b. Measures that:*
  - i. Assess climate resiliency and vulnerability; and*
  - ii. Incorporate siting, design, construction, and other natural features to significantly enhance climate resiliency and reduce vulnerability.*

A preliminary Coastal Resilience Evaluation, summarized above, indicates that the proposed residential townhome development is located outside of projected flood risk zones and will not be impacted by projected sea level rise. In addition, the proposed development will result in the clearing of coastal forest.

### **Growth Allocation Factors**

Per Natural Resources Article 8-1808.1(c)(4), in reviewing map amendments or refinements involving the use of growth allocation, the Commission shall also consider the following factors. The Town's preliminary responses have been evaluated and are summarized by Commission staff below:

- 1. Consistency with the jurisdiction's adopted comprehensive plan and whether the growth allocation would implement the goals and objectives of the adopted plan.*

The property is located within a state designated Priority Funding Area, Maryland designated Sustainable Community, and a federally designated Opportunity Zone. The proposed development is consistent with the Town's planning goals, growth objectives, and policies as outlined in the 2020 Comprehensive Plan, Zoning Ordinance, and several other Town planning documents.

- 2. For a new Intensely Developed Area, whether the development will:*

- (a) Be served by a public wastewater system.*

The site will be served by the Town's water and sewer system and planned expansions to the water supply and sewage treatment facilities will provide adequate capacity to serve the proposed development.

- (b) Have an allowed average density of at least 3.5 units per acre, as calculated under State Finance and Procurement Article, §5-7B-03(h), Annotated Code of Maryland.*  
No information provided.

- (c) For a new intensely developed area that is greater than 20 acres, be located in a priority funding area; and*  
Not applicable, but the proposed growth allocation is located in a Priority Funding Area.

- (d) Have a demonstrable economic benefit to the area.*



The residential units proposed for Robinson Terminal will help build the demand profile that is critical for attracting additional commercial development within the Town. At full build-out and occupancy, the net fiscal impact of all residential land uses to be developed at Robinson Terminal is \$80,876 annually reflecting annual revenues of \$258,469 and annual expenditures of \$177,593.

3. *The use of existing public infrastructure, where practical.*

The property has direct access to MD Route 210 and water and sewer lines are located onsite.

4. *Consistency with State and regional environmental protection policies concerning the protection of threatened and endangered species and species in need of conservation that may be located onsite or offsite.*

The letter received from DNR WHS indicates that there are no official State or Federal records for listed plant or animal species within the growth allocation area.

5. *Impacts on a priority preservation area, as defined under Agriculture Article, §2-518, Annotated Code of Maryland.*

Not applicable.

6. *Environmental impacts associated with wastewater and stormwater management practices and wastewater and stormwater discharges to tidal waters, tidal wetlands, and tributary streams.*

No information was provided.

7. *Environmental impacts associated with location in a coastal hazard area or an increased risk of severe flooding attributable to the proposed development.*

The preliminary Coastal Resilience Evaluation provided indicates that the proposed residential townhome development is located outside of projected flood risk zones and will not be impacted by projected sea level rise.

8. *Environmental impacts on underserved or overburdened communities.*<sup>10</sup>

A preliminary Environmental Equity Analysis was provided by the Town, which was summarized above. MDE's EnviroScreen indicates that the site is located in a Census Tract that is overburdened and underserved. However, at this time no specific items were offered to enhance equity. Further, the Park Equity Score is 0.29, which

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<sup>10</sup> New factor per Chapter 424 from the 2024 legislative session.

indicates that while there may be some need for new park resources, that need is relatively lower than other census block groups within the same County.

### **PROGRAM COMMITTEE DISCUSSION**

The purpose of this preliminary Program Committee discussion is to provide feedback to the Town regarding the proposed growth allocation request, with a particular focus on the new climate change standard and environmental justice factor. For example:

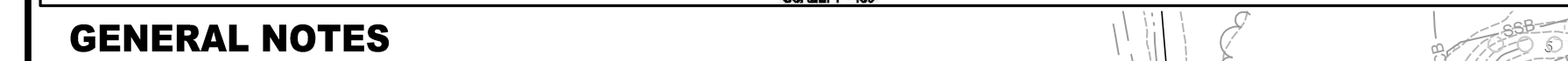
1. Are there any additional measures that the Town and property owner should consider to provide coastal resiliency and environmental justice, or are the current measures (avoiding Buffers, being located outside of the floodplain and CS-CRAB) sufficient?
  - a. Should mitigation be provided for forest clearing for both the current growth allocation request and any proposed clearing in the current IDA in order to address the low tree equity score and high drought score?
  - b. Should stormwater management practices be climate resilient?

Representatives for the growth allocation request (Town staff and consultants) have been invited to attend the Program Committee meeting to answer questions and receive feedback. If you have any questions regarding the preliminary growth allocation request prior to the upcoming discussion at the August 8, 2025 Program Committee meeting, please contact Annie Sekerak at (410) 260-3466 or [ann.sekerak@maryland.gov](mailto:ann.sekerak@maryland.gov).

### **ATTACHMENTS**

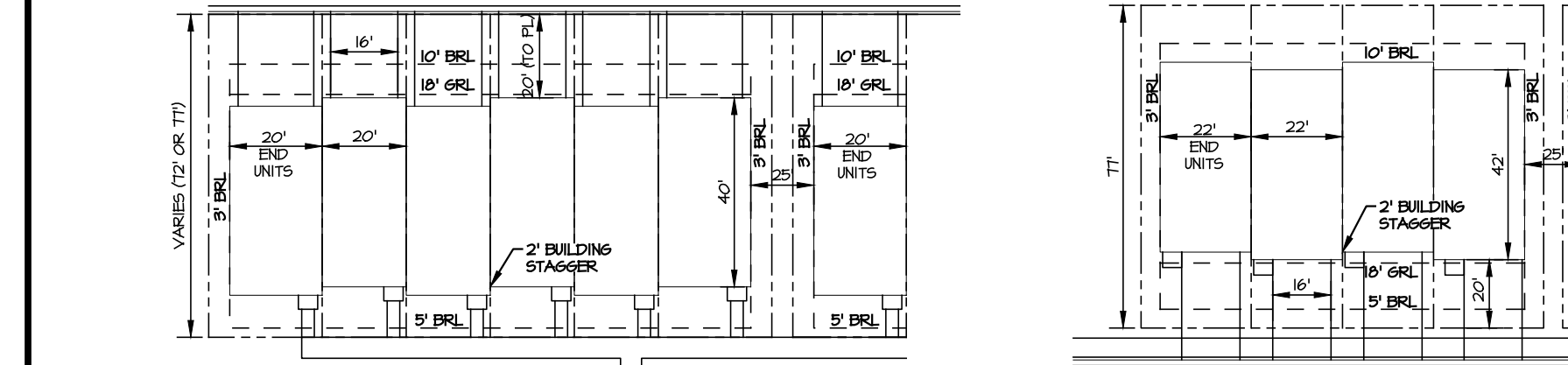
1. Proposed Growth Allocation Map
2. Preliminary Subdivision Plan
3. MDEnviroScreen (Environmental Justice) Report





1. LOCATION:  
TAX MAP 11, PARCEL 142, LOTS 1, 24 & 25


































- | OPEN SPACE TABLE                         |                 |
|--|-----------------|
| PARCEL                                   | OPEN SPACE AREA |
| A  | 15.97 AC*       |
| B  | 1.54 AC         |
| C  | 0.61 AC         |
| TOTAL TRACT 22.45 ACRES                  |                 |
| APPROX. LIMIT OF DISTURBANCE 12.14 ACRES |                 |
- \*INCLUDES OPEN SPACE AREAS ADJACENT TO UNITS.

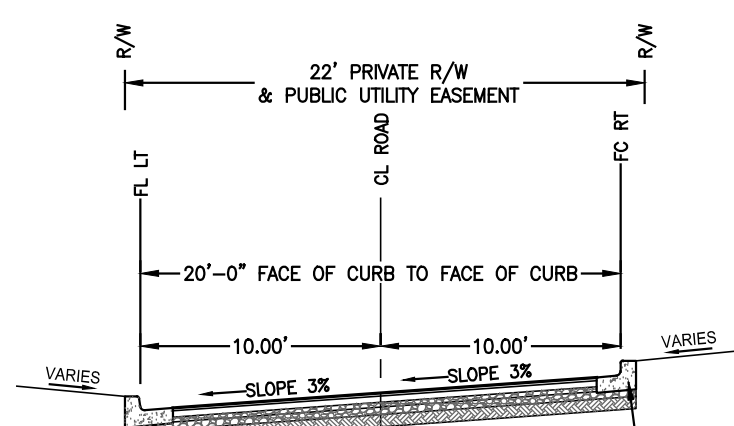


	<ul style="list-style-type: none"> <li>* MINIMUM FRONT TO FRONT FACADE SETBACK SHALL BE 40'.</li> <li>* MINIMUM SIDE TO SIDE FACADE SETBACK SHALL BE 25'.</li> </ul>	
<b>20' TOWNHOUSE</b>		<b>22' TOWNHOUSE</b>
<b>TYPICAL LOT LAYOUT</b>		<b>TYPICAL LOT LAYOUT</b>
<b><u>REAR-LOADED 2-CAR GARAGE</u></b>		<b><u>FRONT-LOADED 2-CAR GARAGE</u></b>
NOT TO SCALE		NOT TO SCALE

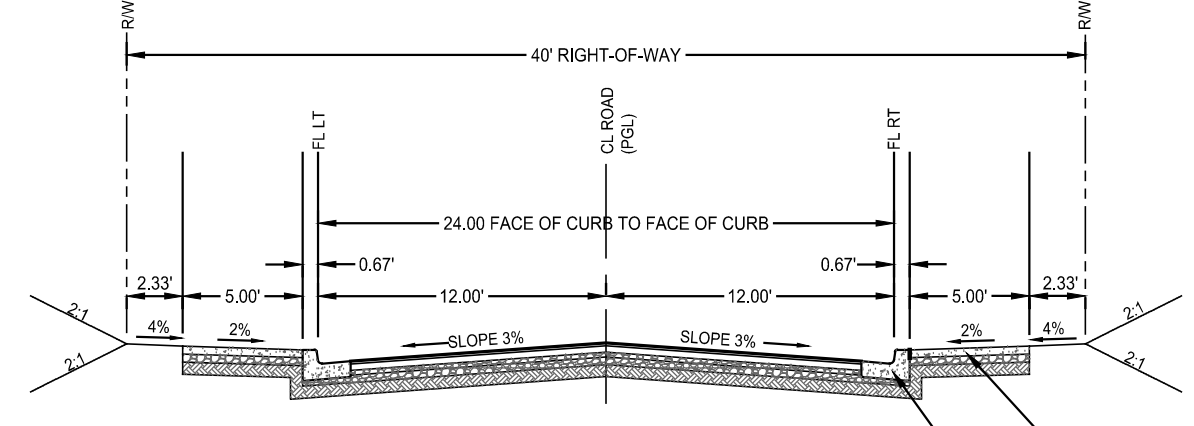


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—FP	—FP	EX. FLOODPLAIN
NW	NW	EX. NON-TIDAL WETLAND
WB	WB	EX. WETLAND BUFFER
US	US	EX. WATERS-OF-THE-US
SB	SB	EX. STREAM BUFFER
SSB	SSB	EX. STEEP SLOPES BUFFER
+	+	EX. STEEP SLOPES (15-25%)
o	o	EX. STEEP SLOPES (>25%)
CB	CB	CHESAPEAKE BAY CRITICAL AREA BUFFER
CEB	CEB	CHESAPEAKE BAY CRITICAL AREA EXPANDED BUFFER

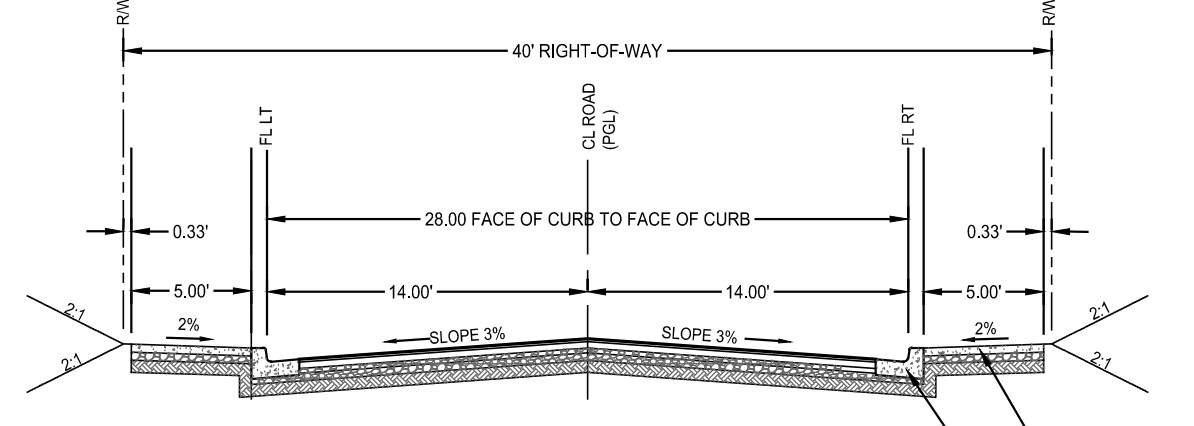
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|   | EX. BUILDING                      |
|   | EX. CURB                          |
|   | EX. PAVEMENT/EDGE OF GUTTER       |
|   | EX. WALK                          |
|   | EX. FENCE                         |
|   | EX. STREAM/POND                   |
|   | EX. TREELINE                      |
|   | EX. SPECIMEN TREE/CIRZ            |
|   | EX. TREE                          |
|   | EX. WATERLINE                     |
|   | EX. SANITARY LINE                 |
|   | EX. SANITARY LINE                 |
|   | EX. OVERHEAD                      |
|   | EX. LIGHT POLE                    |
|   | EX. 1' CONTOUR                    |
|   | EX. 5' CONTOUR                    |
|   | PR. LOT LINE                      |
|   | PR. EASEMENT                      |
|   | PR. BUILDING                      |
|   | PR. CURB & GUTTER                 |
|   | PR. RETAINING WALL                |
|   | PR. CONC. SIDEWALK                |
|   | PR. HANDICAP RAMP                 |
|   | PR. SD                            |
|   | PR. SAN                           |
|   | PR. FH                            |
|   | PR. FI                            |
|   | PR. SOL                           |
|   | PR. SOD                           |
|   | PR. LIMIT OF DISTURBANCE          |
|   | PR. OPEN SPACE                    |
|   | PR. CLEAR SIGHT DISTANCE TRIANGLE |
|  | PR. STREET LIGHT                  |



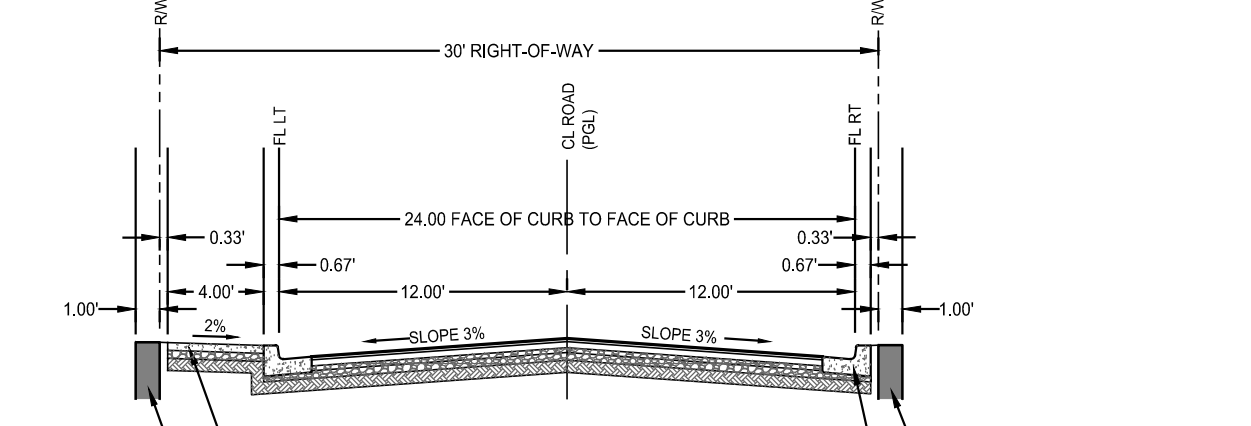
TYPICAL ROAD LAYOUT  
20' LANES  
NOT TO SCALE



TYPICAL ROAD LAYOUT  
ROADS (NO STREET PARKING)  
NOT TO SCALE



TYPICAL ROAD LAYOUT  
ROADS (WITH STREET PARKING)  
NOT TO SCALE



TYPICAL ROAD LAYOUT  
24' ENTRANCE ROAD  
NOT TO SCALE

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