



Calvert County NEWS

175 Main Street
Courthouse
Prince Frederick, Maryland 20678
Phone: 410-535-4583 • 301-855-1880
www.co.cal.md.us

Board of Commissioners
Gerald W. Clark
Pat Nutter
Susan Shaw
Evan K. Slaughenhaupt Jr.
Steven R. Weems

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Contacts: Carrie Lovejoy, Public Information Specialist
410.535.4583 Email: lovejocb@co.cal.md.us

Mark Volland, Marketing/Communications Specialist
410.535.4583 Email: vollanrm@co.cal.md.us

New State Law to Restrict Residential Development Served by Septic Systems *Oct. 1 Is Deadline for Grandfathering Projects Under Current Regulations*

PRINCE FREDERICK, Md. – June 26, 2012 – On July 1, a new state law takes effect that sets restrictions on residential development served by septic systems in a bid to reduce pollution and meet federal Clean Water Act limits on pollutants reaching waterways. The measure establishes deadlines for grandfathering residential developments under current regulations.

In Calvert County, a subdivision is considered grandfathered if a submission for a preliminary plan approval has been made to the county no later than Oct. 1, 2012. The grandfathered status remains valid until Oct. 1, 2016, if the preliminary plan is approved.

The Sustainable Growth and Agricultural Preservation Act of 2012 aims to move septic growth away from areas where it will contribute to pollution and limit the impacts of large subdivisions using septic systems. The law establishes four tiers of land use to identify where residential subdivisions may be located and what type of sewerage system will serve them:

- **Tier I areas** are currently served by sewerage systems; major and minor residential subdivisions will be served by public sewerage systems.
- **Tier II areas** are planned to be served by sewerage systems; residential major subdivisions will be served by public sewerage systems. Septic systems are allowed for residential minor subdivisions but are considered interim systems until public sewerage systems are made available.

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- **Tier III areas** are planned for future growth of major residential subdivisions with septic systems.
- **Tier IV areas** are planned for preservation and conservation; no residential major subdivisions are allowed.

Calvert County planning staff is working on a draft tier map to show the locations of tiers in the county in order to give clear guidance to developers and property owners. The final tier boundaries must be adopted by the Board of County Commissioners (BOCC).

Planning staff is also working to identify possible text amendments that could result from the new regulations. For example, the state defines a minor subdivision as one with a maximum of seven lots while Calvert County defines it as maximum of five. The BOCC would also have the final decision on text amendment revisions.

The legislation contains a grandfathering provision in order to properly track new subdivisions impacted by the law. Under the provision, Oct. 1, 2012, is the deadline to submit a preliminary subdivision application plan to the county. In order to remain grandfathered, the county Planning Commission must approve the preliminary plan no later than Oct. 1, 2016.

An overview of the law and its implementation is available at <http://planning.maryland.gov/pdf/ourwork/roundtable/20120524/sb236implementationguidancev1.pdf>. More information on Maryland efforts to meet Clean Water Act guidelines through the state's Watershed Implementation Plan is available at http://www.mde.maryland.gov/programs/Water/TMDL/ChesapeakeBayTMDL/Pages/programs/waterprograms/tmdl/cb_tmdl/index.aspx. For further details, contact Jason Dubow, director of the Maryland Department of Planning's Environmental Planning Division, at 410-767-4500. For more information on local effects of the law, contact the Calvert County Department of Community Planning and Building at 410-535-1600 or 301-855-1243, ext. 2356, email PZ@co.cal.md.us or visit online at www.co.cal.md.us.

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Calvert County is Maryland's smallest county in land area with 213 square miles. It is home to over 92,000 people and has one of the highest standards of living in Maryland. Major industries include defense contracting, information technology, tourism, energy, advanced manufacturing and administrative services.