

Comments on the Calvert County Comprehensive Plan, December 2018 Draft  
 Comments from the Public Received at the Public Hearing on February 26, 2019

NAME	GROUP/AGENCY	TOWN	DATE	# OF PAGES
Gregory A. Bowen			2/26/2019	10
Chris Banks		Huntingtown	2/26/2019	2
J P Sherkus, President	Dunkirk Area Citizens Association	Dunkirk	2/26/2019	1
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Rosa Hance	Sierra Club, Maryland Chapter, Southern Maryland Group	Dunkirk	2/26/2019	1
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February 25, 2019

Planning & Zoning

Comments on the 2040 Comprehensive Plan

FEB 26 2019

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Commissioner Kernan,

I am grateful to the Planning Commission for retaining the goals and visions from previous county comprehensive plans. I am also grateful that the heritage section and purpose statement were added into the Plan and that sustainability factors are mentioned. Finally, I am pleased that the goal of preserving 40,000 acres of prime farm and forest land was included in the Plan.

However, there are some fundamental flaws to the Plan. First, it assumes that growth has and will practically stop--that between 2030 and 2040, Calvert will grow by a total of just 700 units, or 70 units per year. There is one project being proposed that has 800 units in Prince Frederick. And Prince Frederick is proposed to grow by 82%, an area that could add another 7,000 new housing units. Nor do the projections consider the tens of thousands of undeveloped lots in Calvert. In short, the population projects do not represent reality, particularly considering proposed actions to stimulate growth.

For thirty 30 years Calvert was the fastest or second fastest growing county in the state. It was the 4<sup>th</sup> fastest growing county between 2000 and 2010. Calvert's quality of life factors are all still there, such as:

- Calvert has the lowest number of reported violent crime offenses for a Maryland county per 100,000 population in 2018 accord to the Robert Wood Johnson Foundation<sup>1</sup>.
- Calvert is tied for 2<sup>nd</sup> lowest rate of children under 18 in poverty in 2018 (7%) (Robert Wood Johnson Foundation).
- Its public school system is ranked 3<sup>rd</sup> in academic achievement. (BackgroundChecks.org), 3<sup>rd</sup> in test scores (schooldigger.com) and 6<sup>th</sup> considering multiple factors (Niche.com).<sup>2</sup>
- It has the 4th best overall rank in county health outcomes (Robert Wood Johnson Foundation)<sup>3</sup>.
- It has the 4th highest county per capita income in Maryland (Wikipedia).
- It has the 8th lowest property tax rate (note that all but one of the seven with lower tax rates are rural counties.) (Maryland Association of Counties (MACO))<sup>4</sup>.
- It has the 9th highest percentage per capita of assessed value of real and personal property (MACO).

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<sup>1</sup> (Robert Wood Johnson Foundation report- County Health Rankings and Roadmap)  
<http://www.countyhealthrankings.org/app/maryland/2018/measure/factors/43/map>

<sup>2</sup><https://backgroundchecks.org/top-school-districts-in-maryland-2018.html>;  
<https://www.schooldigger.com/go/MD/districtrank.aspx>;

<https://patch.com/maryland/columbia/marylands-best-school-districts-new-rankings-released>

<sup>3</sup> <http://www.countyhealthrankings.org/app/maryland/2018/rankings/outcomes/overall>

<sup>4</sup> <https://www.mdcounties.org/138/MACos-County-Budget-Tax-Rate-Survey>

Today, Calvert is the 11<sup>th</sup> fastest growing county in the state (in the middle of the counties) and yet the writers of the Plan seem to indicate that growth has practically stopped and is in dire need for desperate measures for growth. The Plan removes provisions in the Plan that call for controlling growth.

Smart Growth Maryland commissioned a poll, conducted by OpinionWorks and released on October 30<sup>th</sup>, which confirms resident support controlled growth. They indicated that the single most important issue or challenge facing Calvert County is overdevelopment/ growth/ sprawl. According to the poll, 65% say that we should discourage residential development and 69% say that Calvert needs to remain a smaller community and protect its rural character. Residents also see the connection between residential growth and traffic and 51% see traffic as a major problem. The full OpinionWorks report can be viewed at this web address: <https://bit.ly/2SjCrSp>.

According to the poll, 87% of county registered voters support protecting waterways like the Chesapeake Bay, Patuxent River, and local creeks. Also, 79% support protecting most agricultural land from development. The residents believe that these issues need to be priorities in the new county Comprehensive Plan.

The results of the Sustainable Calvert Network (SCN) Candidate Questionnaire and Candidates Forum in October provide some reason for hope for those who care about Calvert's rural lands, rural economies, and quality town center development which is needed to help prevent residential sprawl.

On the other hand, the recommended draft of the Comprehensive Plan falls far short on these and other issues:

- The recommended Plan eliminates the provisions in the current Plan for controlling residential growth.
- The Plan's authors removed a whole section on water quality, even cutting water quality standards without comment or justification.
- The recommended Plan calls for preserving 40,000 acres of prime farm and forest land, but it fails to identify any new initiatives to reach the land preservation goal.
- The recommended Plan reduces the need for transferable development rights in town centers and considers eliminating the use of TDRs in the Rural Residential District (**See Attachment A**)
- The recommended Plan removes the provision in the current Plan that says "Continue to support the land preservation efforts of local, state, and national land trusts."
- The recommended Plan removes the provision in the current Plan that says "Continue to work with the County's land trusts to identify and preserve farms that are critical to the protection of lands in Priority Preservation Areas."

All of these issues and more appear to put the new recommended Comprehensive Plan out of sync with the desires of County voters as per the OpinionWorks poll. However, with a few changes (see attachment B), this plan could keep Calvert County on the right path.

Please consider these changes before it is sent to the County Commissioners.

Thank you.



Gregory A. Bowen

## Attachment A

The Plan adversely impacts the County's land preservation programs in two ways.

1. the zoning ordinance currently requires the use of Transferable Development Rights (TDRs) after one dwelling unit per acre. The Plan now states that Major Town Centers have a convention density of three dwelling units per acre, without TDRs.

**Major Town Centers** – “Major Town Centers have a conventional density of three dwelling units per acre, which can be increased using TDRs to a density consistent with the approved Town Center Master Plan. These communities allow a wide variety of commercial and residential development. Future development is guided by a Town Center master plan. Each Major Town Center has nearby residential development.”

Page ES-4

2. Until now, the Rural Residential District has been a receiving area for Transferable Development Rights (TDRs). The wording below indicates a change in intent.

**Rural Residential** (formerly the Rural Community District where 95% of all TDRs have been used) – Rural areas dominated by existing large-lot residential development, typically three to 10 acres in size, with an average lot size of approximately five acres. New development in the rural residential area would be permitted at a conventional density of one lot per 20 acres. This category accommodates existing small-scale neighborhood convenience retail and service uses as well as essential public services. In past Calvert County Comprehensive Plans, rural residential areas have been designated growth areas (receiving areas for TDRs). The 2040 Plan places greater emphasis on directing residential growth to Town Centers and Residential Areas. Page ES-3 in the Plan

*Note: It no longer says that the Rural Residential area is a receiving area for transferable development rights (TDRs) as in the previous Comprehensive Plan*

**Objective 2: Review the Transfer of Development Rights Program so that it directs the majority of growth to Growth Areas.**

Page 3-25

3.3.2.1 Evaluate the use of TDRs within the Farm and Forest areas and the Rural Residential areas. [P&Z, APAB] □ Page 3-25

*Note: The first draft of the Plan said that the Rural Residential District would no longer be used for TDRs. Clearly, the authors are still considering that option.*

## Attachment B – Recommendations

### Chapter 3

**Goal 1: Preserve the rural character of the county, its prime farmland, contiguous forests, cultural resources, and environmentally sensitive areas.**

**Objective 1: Reserve the Farm and Forest District for farming and natural resource-related uses.**

- . 3.1.1.1 Continue to fund the Purchase and Retirement (PAR) and Leveraging and Retirement (LAR) Programs. [BOCC] □
- . 3.1.1.2 Establish a procedure for collecting voluntary contributions to the PAR fund with payment of property tax. [P&Z, F&B] □
- . 3.1.1.3 Provide local support to the Maryland Agricultural Land Preservation Program and other state and federal agricultural preservation programs. [P&Z] □
- . 3.1.1.4 Continue to support the goal of permanently preserving a minimum of 40,000 acres of prime farm and forestland through county, state, and federal land preservation programs and land trusts. [BOCC, Agricultural Preservation Advisory Board (APAB), P&Z] □
- . 3.1.1.5 Continue to limit the types of public and quasi-public uses in the Farm and Forest District based upon their purpose and intensity. [BOCC, P&Z] □
- . 3.1.1.6 Periodically review and update the Calvert County Growth Tier Map. [BOCC, PC, and P&Z]

**3.1.1.7 “Do not increase highway capacity within the Farm and Forest District.”**

**3.1.1.8 “Continue to look for ways to direct residential growth away from the Farm and Forest District.”**

**Goal 2: Use water and sewer policies to direct growth consistent with land use policies.**

**Objective 1: Make provisions for water and sewer service in Growth Areas consistent with the planned land uses and intensity.**

- . 3.2.1.1 Consider options for public financial support for provision of public water and sewer facilities in the Prince Frederick, Lusby, and Solomons Town Centers to promote economic development, encourage multi-family housing opportunities, and protect public health. [BOCC, P&Z, PW, F&B] □
- ~~. 3.2.1.2 Consider allowing developer-funded extension of public water and sewer systems into the Residential Areas around Prince Frederick, Lusby, and Solomons. [BOCC, PW, P&Z] □~~
- ~~. 3.2.1.3 Allow privately-funded community sewage treatment facilities to serve commercial, industrial and employment uses located outside Town~~

~~Centers and Residential Areas, consistent with economic development goals. [BOCC, PW, P&Z] □~~

*Note that the above are financially risky for the county as the county will be responsible for their maintenance, including system failures.*

**Goal 3: Develop Town Centers as attractive, convenient, and interesting places to live, work, and shop.**

**Objective 1: Continue to promote a broad mix of commercial, office, residential, public, and quasi-public development within Town Centers.**

- . **3.3.1.1 Promote Town Centers as community cultural and activity centers by locating schools, colleges, recreational, and cultural facilities there. [BOCC, GS, P&R, BOE] □**
- . **3.3.1.2 Facilitate the creation of farmers markets in all Town Centers. [ED, P&Z] □**
- . **3.3.1.3 Consider ways to strengthen regulations regarding derelict buildings. [P&Z, County Attorney's Office (CAO), BOCC] □**
- . **3.3.1.4 Allow the use of TDRs to increase the density and range of housing types provided in Town Centers. [BOCC, P&Z] □**
- . **3.3.1.5 Allow uses that serve both local residents and employees to locate in employment areas. [BOCC, P&Z] □**
- . **3.3.1.6 Consider the use of inclusionary zoning as a means of providing workforce housing in major town centers.**

**Objective 2: Review the Transfer of Development Rights Program so that it directs the majority of growth to Growth Areas.**

- . **3.3.2.1 Evaluate the use of TDRs within the Farm and Forest areas and the Rural Residential areas, but insure that if their use is restricted, that landowners with TDRs have equal alternative markets elsewhere, including the increased use of the PAR Fund or LAR Fund. [P&Z, APAB] □**
- . **3.3.2.2 Explore the use of TDRs to increase commercial intensity in Town Centers. [BOCC, P&Z, ED, APAB] □**
- . **3.3.2.3 Evaluate Fund and administer the Purchase and Retirement Program for development rights with fees collected from the Recordation Tax, as originally intended and/or based on 1% of the total County operating budget.**

[P&Z, APAB, F&B] □<sup>5</sup>

3.3.2.4 Evaluate the policy of using Require the use of TDRs to increase density in the event any property is rezoned to Residential District beyond the zoning in 2018<sup>6</sup>[P&Z, PC, BOCC]

**Objective 3: Ensure that Town Center Master Plans are updated on a periodic basis.**

3.3.3.1 Review and update the Town Center Master Plans to reflect the policies of the Calvert 2040 Plan. [BOCC, PC, P&Z] □

3.3.3.2 Maintain a schedule to review and update Town Center Master Plan. [BOCC, PC, P&Z] □

3.3.3.3 Use the Prince Frederick Charrette Report as a basis for updating the Prince Frederick □Town Center Master Plan. [BOCC, PC, P&Z] □

3.3.3.4 Review Town Center Master Plans to look for additional ways to reduce dependence □upon automobiles by promoting “pedestrian-friendly” site design and increasing pedestrian and bicycle circulation within and between residential, commercial, and office uses. [P&Z, PW] □

3.3.3.5 Continue to improve the appearance of Town Centers by emphasizing Town Center Master Plan Capital Improvements Projects and Architectural Review. [BOCC, PC, P&Z, Architectural Review Committees (ARCs), GS, PW] □

3.3.1.7 Support public art and provide small parks and other public amenities in town centers. Consider the creation of an Arts and Entertainment District in the Major Town Centers.

**Objective 5: Promote sustainable development.**

3.5.1.1. “Continue to support policies that link the amount, location and rate of residential growth to County land use objectives, including highway, school, water quality and aquifer capacities.”

3.5.1.2. “Monitor residential growth and evaluate the effectiveness of existing regulations to meet growth management objectives.”

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<sup>5</sup> In 1999, the Board of County Commissioners increased the recordation tax from \$3.30 to \$5.00 to provide a funding source for buying and retiring development rights. In the last few years, that money was diverted to the General Fund. This action would reverse that action.

<sup>6</sup> Since the adoption of the county’s land preservation program in 1978, there have been no residential rezonings. The realization was that if added density could happen just by applying for a zoning change, there would be no value in a development right in a County Agricultural Preservation District. Allowing increased residential density in any area of the county, particularly outside town centers, weakens the counties Transferable Development Rights Program and the development of town centers.

3.5.1.3. Do not expand town centers or rezone additional residential lands until it is determined that the county road network and aquifers can accommodate the growth

3.5.1.4. Require in the county's adequate facilities regulations that schools, roads, and water and sewer are in place, or programmed to be in place according to the CIP, before a subdivision or site plan is granted final approval.

3.5.1.5. Maintain the following standards in the Zoning Ordinance: that adequacy for roads means a level of service "D" is attained on MD 2/4 and on Town Center roads. □A level of service "C" is maintained on County roads and outside Town Centers. □Adequacy for water and sewer is no more than 80% of the capacity of the system.

## Chapter 4

Watershed Management (before the Patuxent River Policy Plan on page 4-8)

The Plan philosophy is that not all subwatersheds are the same. There should be different goals for urban subwatersheds and rural subwatersheds.

Within the urban subwatersheds (>10% impervious surfaces) maintain 'fishable/swimmable' status and seek to achieve quantifiable water quality goals. Physical conditions in some subwatersheds could make these goals unachievable, though achievable over the entire watershed. Freshwater criteria in streams should also consider the potential loading of nutrients or sediments over time in addition measured concentration goals.

**Goal 2: Continue a comprehensive approach to environmental planning with special emphasis on watershed planning.**

**Objective 1: Create, adopt and update watershed plans for each major watershed in the county.**

**4.2.1.1 Develop guidelines addressing the content and public involvement process for preparing watershed plans. [P&Z]**

**4.2.1.2 Establish budgets, a schedule and track the preparation and completion of watershed plans. [P&Z]**

**4.2.1.3 Maintain the following standards for good water quality:**

Thresholds for fresh water:

- <0.71 milligrams of nitrogen per liter□
- <0.031 milligrams of phosphorus per liter 6
- <10 Nephelometric turbidity units (NTUs) of turbidity

Thresholds for tidal water:

- Chlorophyll <10 micrograms per liter of water (April-October)□
- Secchi Depth measurements > 1 meter (in waters deeper than 1 meter, April- October)□
- Oxygen levels: 4 mg/l for deep waters and 6 mg/l for surface waters.

Within the rural subwatersheds, achieve the urban subwatershed goals, plus the following:□

- Maintain or create anadromous fish spawning streams□
- Develop and maintain shellfish beds, with the goal of making them open to harvesting.

Chapter 7

Goal 7: Strongly oppose any bay bridge crossing plan through Calvert County.

Objective 1: Inform state officials of the reasons that Calvert is uniquely not suited as a transportation route for such interstate traffic.

7.7.1.1 Report on Calvert's transportation network reliant on one highway, Maryland 2/4, which would be clogged every weekend for summer months if one-third of the projected bay bridge traffic (135,000 trips per day) were re-directed to Calvert. Likewise, one-third of the projected weekday bay bridge traffic (84,000 trips per day) would overwhelm MD 4, which currently carries 32,000 trips per day in Dunkirk. All other counties have more than one major artery that serves their population.

7.7.1.2 Inform state officials about Calvert's two major utilities and the need to have plenty of available carrying capacity on MD 4 in the event of a disaster at either facility.

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Good Evening,

My name is Chris Banks and I am speaking as an individual. I am a member of the Calvert County Historical Society, the Sustainable Calvert Network and other local organizations. I would like to briefly contribute to this public hearing with my focus being cultural heritage.

Let me start in this manner. When in 8<sup>th</sup> grade, I earned a trip to New York City to the World's Fair, anyone old enough to remember that? From there I went to Boston. We traversed the landscape where Paul Revere galloped by horseback piercing the night with his cry that the British are coming! I remember seeing where Crispus Attucks, the first black man, was killed in the Boston Massacre. Many years later, I had to pinch myself because I was standing in front of the Taj Mahal in India- actually seeing the beautiful architecture that heretofore I had only experienced looking at books.

All these were examples of cultural heritage I experienced as a tourist in other places. But what does a tourist experience in Calvert County? We have a cultural heritage, a rich cultural heritage here amid the forests, fields, creeks, rivers and the Bay. It is where Captain John Smith explored between 1607 and 1609, where Puritans arrived in 1652 and established communities. It where slaves left Lower Marlboro to go with the British during the War of 1812- some did not leave, however.

Calvert's rural lands have provided a cultural heritage today that includes historic houses, tenant farms, tobacco barns, cornfields, oystering industries, churches, one room schools and vernacular architecture to name a few places of interest. By vernacular architecture, I mean early simple buildings that grew out of the needs of those who settled here in Calvert. They did not feature buildings built by formally trained architects, but relied on the skills of local builders and the materials available.

Whether north or south, east or west along the Calvert peninsula, there is history to be learned and appreciated. We know that long before settlers came from Europe native tribes built homes along the shores of the Patuxent and the

Chesapeake. The rural lands of Calvert are to be valued for the history they store and the economic base they have provided. For historic sites to be lost nowadays due to demolition to make way for excessive development like the consideration of a Bay Bridge is needless and tragic. Calvert historic and cultural heritage must be preserved so that our young citizens as well as the seasoned ones and our visitors can stand in a field and enjoy scenic vistas with out being distracted by the sounds of blaring horns during rush hour or the glaring lights along the local roads. Don't forget to preserve Calvert's rural character in the Comprehensive Plan.

phyllis Sherkus

FEB 13 2019

Subject:

Comments

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Comments presented by JP Sherkus, President of Dunkirk Area Citizens Association (DACCA) in Dunkirk.

As I am sure you are all aware, Dunkirk residents have been very vocal - both during all the public meetings as well as sending in comments, during the process of working on the drafts of the Comprehensive Plan. Much of which has been ignored. Our main focus has been on keeping Dunkirk a minor town center. As part of that we would like to see the expansion of town centers (not only Dunkirk) to be eliminated from the Comprehensive Plan and entered into the Individual Town Center Master Plans. The citizens of each community should be able to decide how and where their communities expand.

A major issue facing the county is the new Bay Bridge. The county needs to voice loudly that we don't want it in our county. Calvert County will never be the same if it is built here.

Another major issue facing the county is the status of our aquifers. The primary aquifer for Calvert is dropping 2-4 feet per year. A good source of information regarding this is Dr Albert Tucker, President of the Chesapeake Environmental Protection Association. Until a study is done on water availability long term we should have a moratorium on any aggressive growth in Calvert County.

Per an article in the DelMarVa Farmer, the amount of produce grown in and around the DC area is at a low and what is sold in markets is having to come from outside the area. We need to encourage more farming and keep the farms from being developed by builders.

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Public Hearing Comments

Miriam Gholl on behalf of Keep Calvert Country-Grow Responsibly

I'd like to incorporate all of the comments that KCC has submitted in writing and verbally up to this point. Especially our concerns about the inaccurate population projections being used that don't take into account all the expansions proposed. We believe accurate analysis should be done and included in the Plan before adoption.

I have two other important issues that need to be addressed prior to the adoption of the Plan.

1. First, I want to thank you for listening to the Dunkirk citizens and keeping Dunkirk a minor Town Center. And thank you for listening to the Huntingtown citizens and voting to not allow the expansion of their Town Center. But we believe you should extend the same courtesy to Owings, Prince Frederick, Lusby and Solomons, and vote to not include maps that draw specific boundaries in the Plan. This also includes the residential areas surrounding the major Town Centers.

The reason is this: If the expanded Town Center and Residential boundary lines are adopted as part of the new Plan, citizens of those Town Centers will have no legal grounds to oppose those boundaries during the Master Plan and zoning map amendment processes. Since State law requires consistency between the Comprehensive Plan and Zoning Ordinance and Maps, there will be no legal argument against them and no way to "undo" those boundaries once adopted in this Plan.

The maps in the Plan are zoning maps that do not belong there. The Plan should call for the consideration of expansion of Town Centers and then leave it to the Master Planning process for the citizens to determine whether and where the towns should be expanded. The Master Planning process, for those of you who have not been through one, involves the citizens who live in and around the Town Centers and/or have businesses there and is much more detailed.

Along those same lines, base densities in the Major Town Centers are suddenly being increased from one to three units per acre in this Plan. Density is a zoning regulation that does not belong in the Comprehensive Plan either. Not to mention that you're giving away at least 2 units before TDRs are required, further whittling away at the Program.

Just as you listened to Dunkirk and Huntingtown, we are asking you to do the same for the other Town Centers.

2. The second issue is whether it is staff's or the Planning Commission's intention to remove the Adequate Public Facilities Ordinance (APFO) for roads and schools from the Zoning Ordinance.

As you are aware, the new Plan eliminates Action Item #1 from the current Plan which states: "*Continue to support policies that link the amount, location and rate of residential growth to County land use objectives, including highway, school, and aquifer capacities.*"

This question may be one for your attorney: If the intent is to retain the APFO, will it still be enforceable without that language being in the Plan?

If the intent is to remove the APFO, an explanation should be in the Plan stating why this zoning tool, that has been used for decades, is no longer going to be required.

What controls will replace the APFO?

Lastly, I want to say this:

I have read through the 1000+ pages of comments submitted by individual citizens, including a petition that was signed by over 1200 residents, many of whom also included comments. Yet the only requests that have been granted, besides the Dunkirk and Huntingtown victories, are the following: (1) To define the Town Center boundaries precisely in the Plan; (2) to allow water and sewer outside the Town Centers; (3) to not downzone Rural Commercial properties; (4) to increase the base density in the Town Centers; (5) to not call the Minor Town Centers villages; and (6) to include 3 specific properties in the expanded Prince Frederick Town Center, also granting higher density residential for those properties.

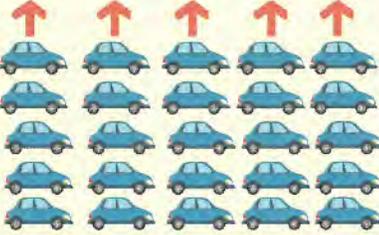
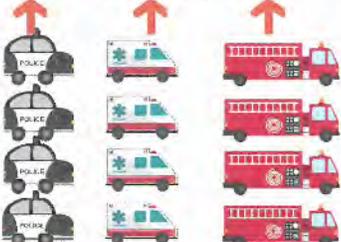
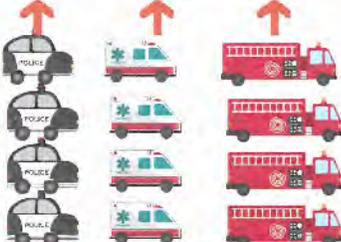
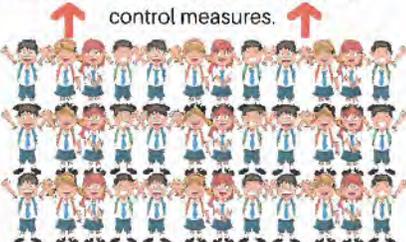
And who made those requests? They were included in just six letters from members of the development community.

The pressure is off to rush this Plan through. We still have just under 2 years to adopt a new one. We're asking you to please listen to the citizens and consider all of their requests before adopting the Plan.

Miriam Gholi  
Port Republic, MD 20676

# BAY BRIDGE OR NEW COMPREHENSIVE PLAN?

## EITHER ONE WILL BE A NIGHTMARE FOR CALVERT COUNTY

	CURRENT PLAN	NEW BAY BRIDGE	NEW PLAN
	CURRENT COMPREHENSIVE PLAN (GROWTH IS LINKED TO ADEQUACY OF ROADS, SCHOOLS, ETC.)	NEW BAY BRIDGE CROSSING (DEPENDING ON LOCATION, COULD IMPACT ONLY ONE AREA OF COUNTY OR ENTIRE COUNTY)	PROPOSED COMPREHENSIVE PLAN (GROWTH CONTROL MEASURES ARE ELIMINATED)
IMPACT ON TRAFFIC	Buildout provisions control # of vehicles by not allowing growth if roads are not adequate. <b>MAXIMUM LIMIT</b> 	<b>NO LIMIT</b> - County has no control over bridge volumes 	<b>NO LIMIT</b> - Growth is no longer linked to road adequacy 
IMPACT ON PUBLIC SAFETY	Buildout provisions control growth, making it possible to project & budget for public safety needs. <b>MAXIMUM LIMIT</b> 	<b>NO LIMIT</b> - County Has No Control Over Bridge Volumes 	<b>NO LIMIT</b> - Plan REMOVES all growth control measures. 
IMPACT ON ENVIRONMENT	Buildout provisions control growth and benchmarks measure health of the environment. <b>MAXIMUM LIMIT</b> 	Depending on its location, a new bridge may only impact the environment in certain areas of the County 	GROWTH LIMITS & BENCHMARKS HAVE BEEN REMOVED. UNBRIDLED GROWTH WILL DEVASTATE ENVIRONMENT. 
IMPACT ON SCHOOLS	Buildout provisions PREVENT overcrowding by not allowing growth if schools are not adequate. <b>MAXIMUM LIMIT</b> 	A new bay bridge would not impact schools <i>unless</i> it is built after the new Comprehensive Plan is adopted ... <i>Then there will be no way to stop development from occurring.</i>	<b>NO LIMIT</b> - Plan REMOVES all growth control measures. 

**PLANNING COMMISSION: RESTORE POLICIES THAT LINK GROWTH TO ADEQUACY OF INFRASTRUCTURE AND BENCHMARKS THAT MEASURE WATER QUALITY, ROAD STANDARDS, ETC.**

2/26/19 Lili Sheelme, Port Republic

I urge the Planning Commission NOT to adopt this plan in its current form. My reasons are based on actual proposed modifications, and also process.

Planning & Zoning

Concerns about this draft Comprehensive Plan (December 2018)

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- **Land Preservation.** The Plan should *strengthen* Calvert County's ability to protect and preserve its agricultural and natural landscapes, including but not limited to the acquisition and/or transfer of development rights. The cultural, societal, and ecological benefits of land preservation are particularly important in a county like ours that so highly values its farming, fishing, and rural heritage – a heritage that clearly many residents identify with still, and do not seem to want to abandon.
- **Privately funded community sewage treatment.** Areas outside Town Centers and in residential areas should not be made available to privately funded sewage treatment facilities. As I understand it, the idea of the Town Centers is to concentrate development there, leaving the areas outside those centers for less dense development and for more rural use. Allowing privately funded sewage treatment facilities outside the town centers is more likely to create the kind of ugly sprawl we see in other MD counties, and don't want here.
- **Stormwater runoff.** An increase in the area and the density of will impact storm water runoff, possibly leading to increased erosion with resulting water turbidity and pollution. This in turn can lead to deterioration of aquatic ecosystems. While the draft plan includes a number of measures to handle that problem, agency comments appear to suggest that some be eliminated. Since the draft Plan doesn't discuss data on current versus projected runoff levels and their impacts, I'm left wondering how we know if the planned storm water retention actions – either as presented or if modified - will be adequate?
- **Sustainability.** The pace and pattern of development and growth should be correlated with land use objectives so that the impacts (on our infrastructure, schools, agricultural capacity, etc.) can be measured, monitored and assessed, and policies modified as necessary.
- **Traffic.** The traffic data presented in the plan are only derived from traffic counts... The plan states: "The need for more sophisticated tools for understanding how traffic flows in the county and what future conditions might look like was clear from the public comment." <sup>1</sup> Yet such information has still not been incorporated into this plan; it continues to rush along on its seemingly arbitrary trajectory without sufficient data for understanding exactly these issues. If Planning & Zoning recognizes the clear need for these tools, then this entire process should be placed on hold while the county conducts the necessary studies and develops the necessary projections, leading to a better and more informed Comprehensive Plan.
- **Town Centers.** The Town Center expansions called for in this Plan are extensive and aren't tied to the Town Center planning process, which is where they belong. For each Town Center, this draft includes the following statement: "The current Town Center master

plan guides development within the previous Town Center boundaries and should be updated to reflect current demographic, land use and market conditions *as well as the policies of this Comprehensive Plan*" (my emphasis). If each Town Center's development is to be guided by its specific and unique Master Plan, then Comprehensive Plan policies should leave the Town Centers alone. Zoning changes, boundary modifications, etc. should be dealt with through the Town Center planning process, and locally relevant issues, resources and challenges addressed there.

- **Potential Bay bridge crossing.** The draft plan states: "If Calvert were to be chosen as the location for the next Chesapeake Bay bridge crossing, then the county's long-range plans – the Comprehensive Plan and Transportation Plan - would need to be redone to address the significant potential impacts." This is an amazingly simplified non-response to what could potentially constitute a huge threat to quality of life in this county. Frankly, you might as well have left this paragraph out. This study was announced in 2016, and no doubt was being discussed before then, so there has been ample time for this issue to be addressed proactively and in more detail. Please reread this Plan's own vision statements, and actually address this potential threat head-on.
- **Energy – Dominion Energy.** I was surprised to see that this document refers to Dominion Energy Cove Point as a "liquefied natural gas *import* facility".<sup>2</sup> This facility was built very specifically as a liquefaction and *export* facility because, of course, that's where the money is. The Background discussion in the "Economic Vitality" chapter also implies that local jobs grew by 9% over a 5-year period thanks to Dominion.<sup>3</sup>

This section should be clarified to show the following: (A) Which part of that 9% is actually due to Dominion's hiring? If the stated 9% growth was in fact due solely to Dominion's hiring, then it likely includes jobs created during the construction of the facility – jobs that were heavily taken by out-of-state workers who eventually went home. (B) Does this number represent actual "jobs", or "job-years"? Dominion consistently misrepresented this number to the public. One "job-year" is a job measured over 12 months; that same job extended over 24 months would be two job-years. Dominion's permit application referred to "job-years", yet the County government consistently supported Dominion's inflated numbers when presenting information to the public. This practice could put other Calvert County businesses at a competitive disadvantage. Any discussion of Dominion's impact should be clear and transparent as to what the data represent, and the source of those data.

In its discussion of hazardous materials, the Plan states "the total calculated risks to the facility and surrounding residential population are extremely low"<sup>4</sup>, and references the MD Power Plant Research Program's 2010 Risk Study of the Cove Point facility. The facility as it exists is far more volatile and dangerous than the previous import facility, and Dominion is known to have under-reported certain technical details in the initial permit application - so much so that it later won permission from the Public Service Commission for a massive increase in hazardous and greenhouse gas emissions. (Apparently, mistakes were made.) *A new study of the current facility as constructed must be conducted* to ensure accurate representation of the potential threats and risk to the public, and it should

assess public health as well as safety risk. This threat must be recognized in the Comprehensive Plan's discussion of hazards as something that needs to be addressed.

Lastly, this plan needs to state clearly and unequivocally that there will be **no new fossil fuel infrastructure** in Calvert County. We should focus on innovatively seeking alternative, sustainable energy and other industries. The fossil fuel industry – and the gas industry in particular - enjoys an absurdly lopsided political advantage over local governments and citizens who oppose it. Given the environmental and public health and safety hazards that are associated with the fossil fuel industry, the county needs to move into the 21<sup>st</sup> century, and leave this baggage behind.

- **Energy – Solar.** Although the Economic Vitality chapter states that the county should “encourage development of solar energy”<sup>5</sup>, the discussion is limited in scope, and nowhere does it mention the State of Maryland's own Community Solar Pilot Program. This innovative program takes advantage of large scale existing rooftops in order to provide solar energy to communities. In fact, most of the draft plan's limited coverage of solar seems to focus on use of tillable land for array placement, which could conceivably be in direct conflict the county's interest in agricultural land preservation. The Plan should include a more detailed ~~discussion~~ *discussion* of solar energy and the role it could play in this county.

### **Concerns about this Comprehensive Plan process**

The current draft has been developed at an accelerated pace, and has not allowed for effective citizen input. I myself have attended numerous workshops and “open houses”, and I did not find them to be very useful.

- Public forums should have been held early in the process at which the public could have had an actual give-&-take with government staff and elected leaders, where citizens could freely voice their concerns and get responses. It seems the drafts came out to the public for comment, without having included meaningful public input to start with.
- Open Houses would have worked better in conjunction with other activities at which citizens could listen to the questions of other citizens and the resulting responses. Perhaps these work as a basic introduction, but they don't help us hear multiple perspectives and learn to think critically about a proposed project. If one has no background in a given field, it can be difficult to understand the implications of a proposal, and harder even to know what questions to ask.
- The term “workshop” implies that attendees will have a voice in the final product. Unfortunately, at the workshops that I attended, there was little opportunity for Q & A; on a couple of occasions where I was able to ask a question, I found the answers deflective and unhelpful. I also felt that workshop summaries did not accurately reflect the discussions in which I had participated. The overall impression I received from these events was that conclusions had already been reached, and we really weren't having any impact on the final product. It seemed to me that the consultant's role was overly significant, and the public's role was minimized. I still feel that way.

- More time should have been allowed for comment, and again – more events should have been held for the public to question and fully understand the proposed changes. I have found it difficult to follow and track significant changes, and as a lay person it has not been easy for me to interpret modifications in a way that would help me to understand their implications.

Finally, I urge you not to take a vote tonight. This process has been rushed, comments do not seem to be taken into consideration, and the very basis and instigation for many recommended changes in this plan are still unclear. The deadline for state agency comments was today, and as I understand from staff, they were still being compiled as of early this afternoon. Public comments are still being received at this very hearing. To what extent have you all had an opportunity to read those, and consider them thoughtfully?

I hope you will take the time to read and consider all comments before taking your vote. Time and again, I've seen this county hold public hearings where the vote was held at the end of the hearing, which begs the question as to why public hearings are even being held.

Thank you.

Lili Sheeline  
Port Republic  
3230 Hillcrest St.

<sup>1</sup> Draft Comprehensive Plan, page 2-5, para. 4.

<sup>2,3</sup> Draft Comprehensive Plan, page 8-2, para. 4.

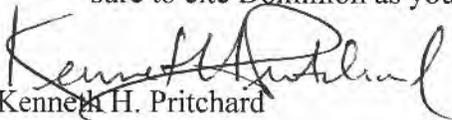
<sup>4</sup> Draft Comprehensive Plan, page 4-16, para. 3.

<sup>5</sup> Draft Comprehensive Plan, page 8-11, para. 4.

26 February 2019

To the Board of County Commissioners of Calvert County, MD, and its Planning and Zoning staff regarding the December 2018 DRAFT Comprehensive Plan:

1. Please see enclosed pages (4) including highlights.
2. One more time: To cite a 2006 State study report (which you do on page 4-16 of the December 2018 DRAFT) about “extremely low” risks to the public from facilities at Dominion Cove Point to allay fears is to lie. It is a lie because this 2006 report does not cover the current facilities at Dominion Cove Point. Further, the 2006 report actually warns about increased risks to the public that **would** result **if** more facilities than those that existed or were planned in 2006 were ever added to the current space, **which is exactly what has occurred**. This 2006 report did not quantify such risks because it could not – no new liquefaction facility (as we have now) was planned or proposed at that time and thus there was no specific basis for a specific calculation about future risk, but it was clear to the study team that risks would increase if facilities were added and the report says just this. Thus, you have quoted something totally out of context. You have lied.
3. If you must lie to allay the fears of the public, please quote from Dominion itself and be sure to cite Dominion as your source.

  
Kenneth H. Pritchard  
PO Box 1870  
Lusby, MD 20657

Planning & Zoning

FEB 26 2019  
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Enclosure

**RCN Webmail**

**kenpritchard@starpower.net**

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**Please see attached citizen comments on COMP PLAN (Calvert 2040, October 2017 DRAFT)**

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**From :** kenpritchard@starpower.net

Thu, Dec 07, 2017 06:26 PM

**Subject :** Please see attached citizen comments on COMP PLAN (Calvert 2040, October 2017 DRAFT)

 1 attachment

**To :** pz@calvertcountymd.gov

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**Comments on the Proposed Comprehensive Plan, K. Pritchard, 12-7-**

 **17.pdf**

1 MB

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7 December 2017

Regarding the Proposed Calvert County Comprehensive Plan (Calvert 2040, October 2017 DRAFT), I submit three main comments:

1. More time, more citizen input and closer review are needed. The County website states that the subject DRAFT (the 'first draft') will be revised and that further citizen review will be afforded. Please ensure a substantial, extended citizen review process, time-wise and outreach/participation-wise, for the 'revised second draft' if only because key aspects of the 'first draft' (see comment 3 below) are missing, not simply suboptimum within the document.
2. The DRAFT Plan wrongfully opens up the County to increased and unnecessary rates of growth and development after the County has already reached a mature and stable state through very rapid growth in the 70s, 80s and 90s. The call to 'Keep Calvert Country' was popular in the 70s and 80s, but largely ignored by government. The DRAFT Plan will adversely impact Calvert's current character and likely change it from the jewel of Southern Maryland to just another part rural – part suburban – part urban county in the Tri-County area. (One example: The DRAFT Plan proposes to expand Town Center boundaries and to increase density in Town Centers, and to quadruple the allowable per-acre residency from one unit to four units in certain areas of the County – wow!)
3. The DRAFT Plan falls far short of local government's responsibility to the people with respect to such issues as public safety, public health, natural resource conservation-preservation-stewardship, environmental protection, fiscal responsibility, governmental transparency and governmental accountability. One example: The DRAFT Plan speaks of 'outside forces' and offers platitudes. Yes, there are outside forces, but the County has very strong legal rights (and a duty in my view) to defend against, mitigate and even deny imprudent/hazard-producing industrial development; the problem has been unwillingness of the County Commissioners to deny, defend or even to mitigate. The FINAL Calvert 2040 Plan should express a new vision for vigilance and, as appropriate, vigorous action by County government in strong support of public safety (including elimination or strong mitigation of life-safety hazards), public health (including freedom from toxic airborne and waterborne pollutants), land/air/water conservation-stewardship-protection, fiscal control-responsibility, and transparency-accountability.

In closing, I wish to re-emphasize what I see as inconsistencies between (a) several platitudes in the DRAFT about noteworthy goals (i.e., good stewardship and pro-action) and (b) actuality (in actions or inaction by the County Commissioners the last several years and in the specifics in the DRAFT) vis-à-vis such matters as Land Use (Chapter 4) and Environment and Natural Resources (Chapter 5). One example: With respect to 'Mitigate ... man-made Hazards in Calvert County', the DRAFT dismisses the life-safety, public health and environmental dangers of the new Dominion Cove Point facilities and its new operations (massive new liquefaction facilities and massive import-export operations). It does this by referring to Maryland's study of 2006 that covers only risks to life-safety and accidents only for old LNG facilities and operations (and the proposed storage tanks at issue and approved in 2006). How disingenuous of Calvert

County government! Even with respect to old Dominion Cove Point LNG facilities and operations (including the new storage tanks at issue in 2006), while it is true that this study report states that such risks are 'tolerable' (page 46 and elsewhere), it also states (page 44): '... Cove Point' (even then in 2006) 'has a relatively high inherent risk level compared to other facilities' of the same type in the United States. Much of this statement in the study report had to do with the very close proximity and very large size of the surrounding population – Calvert County citizens at risk. Calvert County government has a duty to help protect its citizens and its land-air-water from the new and expanded dangers of Dominion Cove Point in 2018 and future years, but it hasn't and the DRAFT misleads readers about the full scope of new types and higher levels of risks coming on-line in just a few months by misusing the 2006 report. In fact, the 2006 study report by the State (which was re-validated and re-issued in 2010 by the State) is prescient (far beyond the then-instant issue of new storage tanks in 2006) in its caution about **increased risks that would result from placing even more facilities sometime in the future into the existing space (which is exactly what has been done now)**. Please read the entire report; perhaps you will find this prescient passage. You in Planning and Zoning, and the County Commissioners, know that the State did not perform a QRA concerning the new facilities and the new operations, yet you feature one finding from the old QRA about old facilities/operations in your DRAFT text to allay current fears. You write: 'However, the total calculated risks to the facility and surrounding residential population are extremely low' (page 5-16 of the DRAFT). Misusing a 2006 report about 2006 facilities and operations when 2017 facilities and 2018 and beyond operations are wholly different is dishonest (or worse) and it is a gross disservice to the people of the County. Honesty demands that you at least delete this misleading (and widely out-of-context) text.

Sincerely,



Kenneth A. Pritchard  
PO Box 1870  
Lusby, MD 20657

DEC 2018 DRAFT  
(County Website, 2-26-19)

## Hazardous Materials

Federal and state regulations control the use and disposal of hazardous wastes. These wastes are not allowed in the county landfill. Nuclear waste from the Calvert Cliffs Nuclear Power Plant is currently stored onsite because a federal repository is not yet available.

Leachate, the liquid that accumulates at the bottom of lined landfills, is considered a hazardous waste and is treated at an appropriate wastewater treatment plant. Currently, the leachate from the Appeal Landfill is treated at the Solomons Wastewater Treatment Plant.

The Cove Point Dominion Liquefied Natural Gas (LNG) Terminal also presents potential hazards associated with combustible gas located at the terminal. A Risk Study performed by the Maryland Power Plant Research Program indicates that the main hazards at the LNG facility include liquid or vapor release, gas dispersion, fires and explosions. However, the total calculated risks to the facility and surrounding residential population are extremely low.<sup>10</sup>

## Goals and Objectives

### Goal 1: Preserve, protect, and conserve natural resources and environmentally sensitive areas.

#### **Objective 1: Preserve and restore wetlands.**

- 4.1.1.1 Maintain substantial monetary penalties for the unauthorized destruction of wetlands. [P&Z, MDE]
- 4.1.1.2 Restore or create wetlands and wetland buffers in areas that will reduce nutrient pollution runoff from farms and developed areas. [MDE, DNR]
- 4.1.1.3 Develop regulations to address existing and future development adjacent to wetlands. [P&Z, MDE]
- 4.1.1.4 Revise site planning criteria to encourage use of natural features of a site and planting of native vegetation, as well as to prevent disturbance of wetlands and their buffers. [P&Z]

#### **Objective 2: Preserve and restore floodplains.**

- 4.1.2.1 Consider raising the floodplain protection level. [BOCC, P&Z]
- 4.1.2.2 For development in the floodplain, ensure that construction practices minimize damage to property and the environment during flooding. [P&Z]
- 4.1.2.3 Prohibit the removal of vegetation in the floodplain. [P&Z]
- 4.1.2.4 Create flood management plans for each identified watershed. [P&Z]

#### **Objective 3: Preserve and restore streams and stream buffers.**

- 4.1.3.1 Require and maintain undeveloped buffers containing native vegetation that limit development around perennial streams. [P&Z, DNR]
- 4.1.3.2 Preserve and restore riparian forests. [P&Z, DNR]

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<sup>10</sup> Maryland Power Plant Research Program, *Cove Point LNG Terminal Expansion Project Risk Study*, Maryland Power Department of Natural Resources, 2006 (Revised 2010)



# SIERRA CLUB

MARYLAND CHAPTER

Southern Maryland Group  
45547 Stoney Run Dr  
Great Mills, MD 20634  
(240)808-4233

My name is Rosa Hance, I am here tonight as chair of the Southern Maryland Sierra Club. The Sierra Club is a volunteer-led organization with over 5,000 members and supporters in Southern Maryland. Calvert County has long been admired for its land preservation efforts, however, this draft comprehensive plan gives us much cause for concern. Many of the land, air and water protections have been weakened or undermined. **Thank you for the opportunity to present these recommended improvements to the comprehensive plan.**

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We must Strengthen, not weaken, Calvert's land preservation programs. The Sierra Club, Southern Maryland Group has publicly taken position of supporting both TDR and PAR programs and we reaffirm that support tonight. The purpose of these programs is to preserve Calvert County's traditional forests, wetlands and agricultural land. The Comprehensive Plan draft does not adequately protect the future of this program to its original intent.

The Comprehensive Plan should link the amount and location of residential or commercial growth to infrastructure capabilities. Aquifer and ground-water sustainment must be a priority, so that we do not overtax the natural resources available to use. Privately owned sewers should be avoided as they can be an environmental and economic burden if and when they fail, the county taxpayers become responsible for the damages.

Furthermore, we believe the comprehensive plan should not expand industrial zones or build new or expanded gas infrastructure. We fully support responsible growth of renewable energy and would love to see solar on existing buildings, parking lots, and impervious surfaces.

Traffic congestion should be mitigated, not increased. As a matter of public health, any projected increase traffic should be studied for its effects on air quality and likelihood to increase pollution concentrations. Town centers should not be expanded, and instead more emphasis should be placed on walkable and bikeable communities not expanded suburban sprawl.

The comprehensive plan sets the stage for the next 10 years and is a critical tool used for development decisions. We urge the planning commission to take these comments into consideration, and remember that this plan helps shape what type of community we pass on to our children and future generations of Southern Marylanders.

*Rosa Hance*

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## Officials, residents must fight to prevent local bay crossing

Once again, Greg Bowen has helped Calvert County residents by analyzing the implications of building a bridge from Calvert or St. Mary's counties to the Eastern Shore ("Draft bay crossing maps prematurely surface," Feb. 13, The Calvert Recorder). Greg speaks with authority because he had worked for over 32 years in the Calvert Department of Planning and Zoning and knows how to analyze the likely increases in traffic along the proposed corridors, including the fact that increased traffic could cause congestion along county evacuation routes should an accident occur at the Exelon nuclear plant or the Dominion Cove Point LNG liquefaction facility.

But there are two other considerations that local residents need to take into account from the state proposed bridge options: increases in air pollution and a security threat from any bridge near Cove Point.

The Clean Air Task Force indicated in 2005 that Calvert residents had a cancer risk from diesel soot that was 242 times greater than the Environmental Protection Agency's acceptable risk of 1 in 1,000,000. In St. Mary's, the risk was 209 times as high as the EPA standard. In ad-

dition to the health risk from diesel soot is the risk from nitrogen oxides, particulate matter, carbon monoxide, volatile organic compounds and sulfur dioxide generated by highway traffic. While improvements in technology have reduced pollution from individual vehicle emissions, increases in traffic volume since 2000 has probably offset these pollution reductions. And plumes of black diesel exhaust continue to darken skies along major highway arteries in the area.

Any map of the bay shows that a crossing from Cove Point to Taylors Island is the shortest of all options: roughly 5 miles. However, such a crossing would need to pass close to the Dominion LNG export facility and/or Calvert Cliffs Nuclear Power Plant, facilities that are only 3.5 miles apart. This would be a target-rich environment for terrorists. A well-planned attack could not only disrupt highway traffic and block freighters en route to Baltimore with fallen bridge structures, but also offer terrorists the option of attacks on Exelon or Dominion facilities from the bridge.

State planners considered a bridge at Cove Point in 2005. As a private citizen, I worked with then-commissioner Susan

Shaw and then-delegate Tony O'Donnell to oppose this project. It was dropped. Given the problems identified by Greg Bowen and the security dangers that could be created by a Cove Point bridge, I strongly urge all county commissioners, and state delegates and senators, to oppose any proposed bridge in Southern Maryland. An origin and destination study for the Bay Bridge done for the Maryland Transportation Authority in 2001 showed that only .4 percent of current Bay Bridge traffic came from St. Mary's County and 1.4 percent came from Calvert. We don't need these bridges to meet local needs. This is a clear case in which locally elected officials, Democratic and Republican, have an obligation to protect their constituents, not relieve traffic congestion in Annapolis.

Finally, and most importantly, to prevent these threats to their health and safety, residents in both counties need to apply pressure on local elected leaders to block the bridge proposals and turn out in large numbers at any public hearings on this subject to voice their objections to these proposed bridge options.

**Len Zuza, Solomons**

*Len Zuza*

I carefully went over the entire December 2018 Comprehensive Plan Draft (CP12/18), looking at the marked-up version of the May Comprehensive Plan showing changes made. With each page I became more and more disappointed. I have read the many, many thoughtful, intelligent comments by the citizens of this county, both sent in to the Planning Commission and made at the many meetings that citizens were invited to attend throughout this process of rewriting the County Comprehensive Plan. My husband<sup>Joseph</sup> and I went to the meetings from the very beginning where citizens were requested to give their input. Yet so little of what the citizens have asked for has been implemented. This last draft, our last chance, has mostly just grammatical corrections. The very few changes made will not make much difference in preserving the balance Calvert County must maintain: the ability to grow (within the limits of our public facilities) and yet preserve our resources, the excellence of our schools, our priceless rural ambience and heritage. Yes, that means the Comprehensive Plan must reinstate a cap on growth and benchmarks for quality of roads and water.

Our citizens made so many wonderful suggestions for each and every chapter. Please take the time to reread those suggestions, as they are still very applicable, and seriously give them consideration. Especially, I hope you read mine and my husband's because we spent countless hours and days working on them.

The Final Comprehensive Plan does not need to be completed until the end of 2020. The Planning Commission has time to step back and think about all of the repercussions of rushing through the plan as it is now written.

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