

**APPENDIX F**  
**CHESTER / STEVENSVILLE COMMUNITY PLAN**  
**Public Hearing of January 25, 2006,**  
**Comments Submitted to Planning Commission with**  
**Planning Commission's Response / Decision (Forwarded to County Commissioners on April 20, 2006)**

Speaker	Issue	Draft Plan Excerpts	For PC discussion	PC Decision
<p>Kevin Quinn  Owner of Parcel 114, Tax Map 56, on Main Street, Stevensville &amp; Parcels 24 &amp; 84 behind KIHS  Public Hearing Testimony &amp; Letter dated 2/7/06</p>	<p>1. Property at 306 Main Street (Tax Map 56, Parcel 114). The 300ø buffer from tidal waters encompasses the property and his neighbors, which would make it useless as a result of the Plan's prohibition of any disturbance within the 300ø buffer. Requests these properties not be included in the 300ø buffer for the following reasons:</p> <p style="padding-left: 40px;">It is not located within the Critical Area, and Plan states that the 300ø buffer is for lands within the Critical Area</p> <p style="padding-left: 40px;">There was building that caught fire and the County required it to be demolished. Has approved plans for the new building.</p> <p style="padding-left: 40px;">Has an existing sewer allotment, which has been paid each quarter.</p> <p style="padding-left: 40px;">The 300ø buffer would deny rightful use of the property.</p> <p>2. Family owns Parcels 24 &amp; 84 behind the Kent Island High School, designated as school expansion site, and if the entire property is not required for school expansion, then proposed for a park. This deprives use of the property, and gives the County an option to sit and wait years to possibly purchase. If the county wants to buy it let them make an offer. There are 2 parcels ó one is 8 ac. &amp; one is 12 ac ó choose either one for the school expansion and let him have the other, and use TDR's from the one site for the school / park and transfer units to the other site, in exchange for the donation of the other parcel the school / park. However, the Plan also calls for the Davidson Tract to be a park. The park facilities should be kept together; and expansion of Love Point Park is where the park should be, not here.</p>	<p><u>Page 5-18 &amp; Page 5-22</u></p> <p>Allow no exceptions to a 300ø buffer requirement</p> <p>Maintenance of the 300ø shoreline buffer wherein no disturbance would be permitted, except for bona fide water dependent facilities and where buffer management standards would require restoration of the natural state of the shoreline to the max. extent practicable.</p> <p><u>Page 5-7</u> KIHS Expansion &amp; Park Site</p> <p>. . .this site has been identified for use to support any future expansion of the capacity of KIHS. Total land area of this site is approximately 21 acres. Northern portions of the site which may not be required to support School expansion are proposed for future Park Use and to provide an edge between school activities and structures and existing residential development adjacent to the northern edge of the site.</p> <p>The plan recommends County acquisition of this site to preserve opportunities for these planned future uses.</p>	<p>Under the Critical Area Act, Shore Buffers only apply to areas of tidal influence, and owners have to field verify the limits of tidal influence at time of development.</p> <p>1. 300-foot Buffer</p> <p style="padding-left: 40px;">Should the maps be revised to remove the buffer;</p> <p style="padding-left: 40px;">or</p> <p style="padding-left: 40px;">Should text be included to provide exception for lots that would be completely encompassed by the 300-foot buffer in order to allow reasonable use of at least a portion of the property and avoid a regulatory taking.</p> <p>2. Parcels behind KIHS</p> <p style="padding-left: 40px;">leave designation;</p> <p style="padding-left: 40px;">revise text and maps;</p> <p style="padding-left: 40px;">modify plan to incorporate property owners recommendation</p>	<p><b><u>1. SHORELINE BUFFER</u></b></p> <p>Revised text as follows:</p> <ul style="list-style-type: none"> <li>▪ Maintain a 300 foot buffer requirement unless the buffer encompasses a substantial portion of any property such that reasonable use is impracticable, or if such buffer prohibits any additional development landward of existing structures on an already improved lot, which the Planning Commission recognizes may warrant granting a reduction on a case-by-case basis. Any reduction to the 300-foot buffer shall be the minimum necessary to allow practical use of the site provided that there are mitigation measures to minimize environmental impacts related to the reduction.</li> </ul> <p>Revised map 5-3 to include the 300 foot shoreline buffer on <u>all</u> properties, vacant and with existing structures, whether IDA, LDA, or RCA.</p> <p><b><u>2. KIHS EXPANSION &amp; PARK SITE</u></b></p> <p>Address in cover letter transmitting to County Commissioners to set a goal to acquire, and make offer. No changes to the text of the document. (*Note: Revised text added to page 5-7 with drafted issued on October 26, 2006)</p>

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<p>Robert O. Eisinger - General Partner of the Love Point Limited Partnership</p> <p>Letter dated 1/25/06</p>	<p>Owns two parcels on Love Point Rd adjacent to Thompson Creek (Tax Map 56, Parcels 333 &amp; 334). Portion of the property adjacent to Thompson Creek is mapped for 300øbuffer that is described as being generated from tidal waters. According to 1972 State of MD Wetland Maps (Map 69) the southern boundary of U.S. Rt. 50 and Thompson Creek is the furthest extent of the tidal influence. Believes the mapping of a portion of the property for a 300øbuffer is incorrect and should be revised to eliminate this designation, for the following reasons:</p> <p>The Plan states no reductions and/or disturbance to the 300øBuffer should be allowed. The SWM pond currently serving the existing medical building on parcel 332 is on parcel 333 and lies entirely within the proposed 300øBuffer; which would eliminate the ability to maintain the SWM facility.</p> <p>Currently processing a site plan for a 44,828 sq. ft. professional building on parcel 333. The 300øBuffer impacts the proposed site entrance and parking areas; the entire project would need to be redesigned if the 300øBuffer were established, if could be built at all.</p> <p>Been working this project since submittal of APF Study in August 2004, but not notified that approx. 2.25 acres of the 5.276 acre property would become unusable. Already provides a 100øBuffer from Thompson Creek that eliminates the use of 1.36 acres. The 300øBuffer would take a total of 3.615 acres or 68.5% of the property.</p>	<p><u>Page 5-17</u> The Land Conservation Plan Conservation of natural resources and protection of environmental features on Kent Island is a key objective of this Community Plan . . . Map 5-3 identifies three categories and their respective locations where conservation of lands is recommended. They include:</p> <ul style="list-style-type: none"> <li>• A three hundred foot buffer from tidal waters within the Chesapeake Bay Critical Area.</li> </ul>	<p>Under the Critical Area Act, Shore Buffers only apply to areas of tidal influence, and owners have to field verify the limits of tidal influence at time of development.</p> <p>300-foot Buffer</p> <p>Should the maps be revised to remove the buffer;</p> <p>or</p> <p>Should text be included to provide exception for lots that would be completely encompassed by the 300-foot buffer in order to allow reasonable use of at least a portion of the property and avoid a regulatory taking.</p> <p><u>PC Agenda March 9, 2006</u> MASP #04-05-06-0002-C Kent Island Professional Center Requesting major site plan approval and a shore buffer reduction</p>	<p><b><u>SHORELINE BUFFER</u></b></p> <p><u>Revised text as follows:</u></p> <ul style="list-style-type: none"> <li>▪ Maintain a 300 foot buffer requirement unless the buffer encompasses a substantial portion of any property such that reasonable use is impracticable, or if such buffer prohibits any additional development landward of existing structures on an already improved lot, which the Planning Commission recognizes may warrant granting a reduction on a case-by-case basis. Any reduction to the 300-foot buffer shall be the minimum necessary to allow practical use of the site provided that there are mitigation measures to minimize environmental impacts related to the reduction.</li> </ul> <p><u>Revised map 5-3</u> to include the 300 foot shoreline buffer on <u>all</u> properties, vacant and with existing structures, whether IDA, LDA, or RCA.</p>
<p>Leo Maier ó Chester</p> <p>Public Hearing Testimony &amp; Letter dated 1/25/06</p>	<p>Owner of 10-acres (Tax Map 56, Parcel 250), north of Rt. 50 and between Island Plaza and Thompson Creek. Portion of property mapped for 300øbuffer that is described as being generated from tidal waters. According to 1972 State of MD Wetland Maps (Map 69), the southern boundary of Rt. 50 and Thompson Creek is the furthest extent of the tidal influence. Portion of the creek adjacent to his property is not influenced by the tide. Believes the mapping of a portion of property in 300øbuffer is incorrect; revise to eliminate this designation. Important since the Plan states no reduction and/or disturbance to the 300øbuffer should be allowed.</p>	<p><u>Page 5-18 &amp; Page 5-22</u></p> <p>Allow no exceptions to a 300øbuffer requirement</p> <p>Maintenance of the 300øshoreline buffer wherein no disturbance would be permitted, except for bona fide water dependent facilities and where buffer management standards would require restoration of the natural state of the shoreline to the max. extent practicable.</p>	<p>Should the maps be revised to remove the buffer;</p> <p>or</p> <p>Should text be included to provide exception for lots that would be completely encompassed by the 300-foot buffer in order to allow reasonable use of at least a portion of the property.</p>	<p>Same as above decision</p>

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<p>Tim Price ó for his mother, Louise Price ó Stevensville</p> <p>Public Hearing Testimony</p>	<p>On behalf of his mother who is part owner of the Davidson Tract ó which is designated as a park site. Commented on the tax dollars required to preserve the amount of land proposed in the Plan ó the cost involved in taking this site, and all the other sites that were recommended for acquisition. Costs include the acquisition cost, the cost of initial improvements and then maintenance over time, and the property being taken off the tax rolls.</p> <p>Currently the Davidson Tract is used for agricultural purposes - serving the purpose recommended in the Plan. Language in a recommendation to designate this area as Davidson Farm Park and reservation or acquisition of property without any time period specified is not advisable, because the county is going to be in effect taking the property by regulatory means without a formal condemnation proceeding being instituted - which the courts have upheld as a regulatory taking that requires compensation to the landowners.</p> <p>The report recognizes that there are already 23 parks and recreational areas on Kent Island, and when combined with the public school fields, advises caution of putting more tax dollars in acquiring and maintaining more parkland when we already have plenty.</p>	<p><u>Pg 5-8</u> Davidson Farm Park Site</p> <p>This location, Area 4, is one of the few remaining tracts that is undeveloped or not planned for development that remains in the North Chester/Stevensville designated Community Planning Area. Shown on Map 5-2, its location provides separation and an undeveloped edge between the two communities. The plan recommends reservation of some of these lands at the Davidson Farm for future use as a natural park site to protect environmental resources on those portions of the site located within the Chesapeake Bay Critical Area. This may also include construction of a trail spur that could ultimately be connected to the Cross-Island trail and provide direct trail system access to the residents of the Cloverfields neighborhood. The Planning Commission will consider rezoning of the property.</p> <p>Since Old Love Point Park is overcrowded, limited portions of this farm might also be used to support active recreation facilities which would expand recreation offerings to Stevensville and Chester area residents. This plan recommends County acquisition of the site to protect opportunities for future park use and support natural resource protection objectives.</p>	<p>öThe plan recommends reservation of <u>some of these lands</u> at the Davidson Farm for future use as a natural park site to protect environmental resources on those portions of the site located within the Chesapeake Bay Critical Area.</p> <p>...</p> <p>The Planning Commission will consider rezoning of the property.</p> <p>...</p> <p>This plan recommends County acquisition of the site to protect opportunities for future park use and support natural resource protection objectives.ö</p>	<p><b><u>DAVIDSON FARM PARK SITE</u></b></p> <p>Address in cover letter transmitting to County Commissioners to set a goal to acquire, and make offer. (*Note: Revised text added to pages 5-7 &amp; 5-8 with drafted issued on October 26, 2006)</p> <p><u>Revised text on Page 5-6</u> at the beginning of the section to add the following sentence:</p> <p>öIn order to implement the goals and recommendations of these proposed land use concepts the Planning Commission will consider rezoning of property as appropriate as well as any necessary text amendments to the County Code.ö</p> <p><u>Deleted the following sentence</u> under Davidson Farm Park Site section:</p> <p>öThe Planning Commission will consider rezoning of the property.ö</p>

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<p>Peter Claggett</p> <p>Email dated 1/24/06</p>	<p>Attached a report by the US EPA concerning the relationship between housing density and water quality. From the EPA News Release: [EPA's] analysis demonstrated:</p> <p>The higher-density scenarios generate less storm water runoff per house at all scales . one acre, lot, and watershed . and time series build-out examples.</p> <p>For the same amount of development, higher-density development produces less runoff and less impervious cover than low-density development; and</p> <p>For a given amount of growth, lower-density development impacts more of the watershed.</p> <p>Taken together, these findings indicate that low-density development may not always be the preferred strategy for protecting water resources. Higher densities may better protect water quality . especially at the lot and watershed levels. . . . EPA believes that increasing development densities is one strategy communities can use to minimize regional water quality impacts.</p> <p>Mr. Claggett's comments continued: While the report demonstrates very clearly that low-density development is not necessarily better for protecting water quality than high-density development, it also emphasizes the need for development guidelines and environmental protection measures to lessen the negative impacts of new development no matter what the density.</p> <p>Five-acre lots are not desirable because they can lead to the rapid consumption of farmland, limit the availability of new affordable housing, and limit public access to open space. Large-lot homeowners can minimize environmental impacts by limiting the conversion of forests to lawns, leaving the remaining land fallow, planting open lands with native species, ensuring that forests on their property connect directly with forests on adjacent properties, and by preventing land disturbances near waterways.</p>	<p><u>Appendix C ó The CAC's Vision (pg C-4)</u></p> <p>Because Kent Island had already absorbed more than its sustainable capacity, growth outside the reduced growth areas were limited to low density lots ranging from one unit per five (5) acres to one unit per twenty (20) acres, in order to protect the environmentally sensitive areas that had not been developed prior to 2004. A Kent Island 'sending' TDR program was adopted to direct growth to acceptable areas off of Kent Island.</p>	<p>Chapter 18 Article XX Transferable Development Rights § 18-1-100. C. Limitations</p> <p>...</p> <p>(5) TDRs used on receiving parcels within the CMPD and TC Districts must be derived from eligible transferor parcels located within the Fourth (Kent Island) Election District.</p> <p>(6) TDRS used on receiving parcels within the Stevensville Growth Area must be derived from eligible transferor parcels located within the Fourth Election District of Queen Anne's County.</p>	<p><u>Revised the text</u> of first paragraph under <b>THE LAND CONSERVATION PLAN</b> section as follows:</p> <p>“Conservation of natural resources and protection of environmental features on Kent Island is a key objective of this Community Plan. Homeowners can contribute towards the conservation of the natural resources and minimize environmental impacts by limiting the conversion of forests to lawns, leaving the remaining land fallow, planting open lands with native species, ensuring that forests on their property connect directly with forests on adjacent properties, and by preventing land disturbances near waterways.”</p>

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<p>Winn Krozack - representing the Kent Island Defense League (KIDL)</p> <p>Public Hearing Testimony &amp; Letter dated 1/25/06</p>	<p>In the spring of 2005 KIDL issued a press release in full support of the Plan as proposed by the CAC. Based on careful review of the SWOT the CAC recognized the severe problems cause by too much high-density growth and commercial strip development. Many corrective actions were proposed in the CAC Plan. The PC's Draft is a revision of and is very different than CAC Plan. The PC has either eliminated or watered down the solutions to the problems that were addressed in the CAC Plan. A major emphasis of the CAC plan was to reduce the growth area. However, the growth area, now called the Community Planning Area, in the PC Draft is actually larger and has been expanded south, down to Matapeake, including Camp Wright. We are asked to believe that including Camp Wright in the growth area and giving is S1/W1 designation does not mean development there. The CAC Plan also called for the following restrictions:</p> <p style="padding-left: 40px;">No further award of growth allocation in critical areas</p> <p style="padding-left: 40px;">Elimination of SMPD and CMPD zoning, as it is so open ended and has caused so many development problems</p> <p style="padding-left: 40px;">Strict adherence to height limitation in the Bay Bridge/Airport area</p> <p style="padding-left: 40px;">Strict adherence to the boundary of Terrapin Park and not allowing the sewer plant to impinge on this area</p> <p style="padding-left: 40px;">No extension of sewer/water service outside the designated Growth Area down Rt. 8</p> <p style="padding-left: 40px;">Emphasis on Chester/Stevensville Separation Greenbelt Areas.</p> <p>All of the above items have been so softened by new wording in the PC Draft that any suggestion of restrictions can be ignored, if deemed appropriate by QAC staff and officials. KIDL strongly recommends and formally requests that the above outlined changes be revisited. Additionally, much has been lost by moving the CAC's Vision to the appendix. KIDL strongly recommends and formally requests that the following stipulations be placed back in the main body of the plan</p> <p style="text-align: center;">(Continued on next page)</p>	<p><u>Page 5-18</u> <i>Even though the CAC recommended that no future award of growth allocation or buffer reductions should be granted to any area of Kent Island in the Chesapeake Bay Critical Area, nevertheless, the Planning Commission recognizes that in order to achieve the County's goals it may be necessary for very careful limited use in the award of Growth Allocation in the future in the Chester and Stevensville Community Planning Area.</i></p> <p>Plan Implementation Chapter <u>Tool or Technique #18</u> The SMPD and CMPD should be revised to improve the traditional neighborhood character and qualities in the Community Planning Area.</p> <p><u>Page 5-6</u> ▪ <i>It was the recommendation of the CAC that height limits on buildings and structures be consistent with requirements for maximum height limitations within airport facility clear zones and approach slopes/zones and in no case exceed 45 feet. The Planning Commission will revisit this issue in the context of amendments to the Zoning Ordinance.</i></p>	<p><b><u>Text of CAC document (Oct. '04)</u></b></p> <p><u>The Land Conservation Plan</u> <i>Allow no future award of growth allocation or buffer reductions be granted to any area of Kent Island in the Chesapeake Bay Critical Area.</i></p> <p>Plan Implementation Chapter <u>Tool or Technique #18</u> <i>The SMPD &amp; CMPD should be eliminated. The CMPD should be replaced to secure the traditional neighborhood character and qualities in the Chester Village Expansion Area. Use of these provisions should however be limited to this location. Areas formerly zoned SMPD should be rezoned consistent with existing use or to foster development consistent with this Plan</i></p> <p><u>Bay Bride / Island Gateway</u> <i>Height limits on buildings and structures that are consistent with requirements for maximum height limitations within airport facility clear zones and approach slopes / zones and in no case exceed 45 feet.</i></p>	<p><u>No changes to the excerpts from:</u></p> <p style="padding-left: 40px;"><u>Page 5-18</u> with respect to growth allocation</p> <p style="padding-left: 40px;"><u>Tool or Technique #18</u> with respect to SMPD and CMPD</p> <p style="padding-left: 40px;"><u>Page 5-6</u> with respect to height limitations</p>
		<p><u>Page 5-7</u> <u>Wastewater &amp; Water TP site.</u> This Area . . . includes lands currently owned by the County adjacent to Terrapin Park. . . This plan recommends limiting the area utilized for WWTP functions so that such functions do not encroach on lands zoned CS and established as park facilities at the Terrapin Park site. . . .</p>	<p><u>Wastewater Water TP Site</u> . . . This plan recommends limiting the area utilized for WWTP functions so that such functions do not encroach on lands zoned CS and established as park facilities at the Terrapin Park site. <i>The CAC recommends limiting the boundary of the designated growth area and PFA to the area of the site encompassed by existing WWTP facilities to restrict future expansion of WWT capacity in keeping with the removal of areas previously designated for growth.</i></p>	<p><u>No changes to the excerpts from:</u></p> <p style="padding-left: 40px;"><u>Page 5-7</u> with respect to the Wastewater &amp; Water Treatment Plan site.</p>

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<p>Continuation</p> <p>Winn Krozack - representing the Kent Island Defense League (KIDL)</p> <p>Public Hearing Testimony &amp; Letter dated 1/25/06</p>	<p>(Continuation)</p>	<p><u>Page 6-7 Community Facilities . . . Plan</u></p> <ul style="list-style-type: none"> <li>▪ <i>While the CAC recommended that no extensions of sewer and water service to facilitate new growth should be allowed in areas located outside the designated Community Planning Areas, the PC recognizes that exceptions may be necessary, and, therefore, recommends that such extensions should be done only as absolutely necessary to eliminate failing septic systems.</i></li> </ul> <p><u>Page 5-8</u> Chester/Stevensville Separation Greenbelt . . . The location of this proposed greenbelt also furthers this Community Plan's environmental objectives of protecting sensitive resource lands adjacent to Cox Creek. The area of the greenbelt corresponds to lands located within 300 feet of Cox Creek which serve as a buffer within the Chesapeake Bay Critical Area.</p> <p>Implementation of this concept will require protection of the 300 foot buffer on both sides of Cox Creek as shown on Map 5-2.</p>	<p><u>The Community Facilities ... Plan</u> No extensions of sewer and water service to facilitate new growth should be allowed in areas located outside the designed Growth Areas.</p> <p><u>Chester/Stevensville í Greenbelt</u> . . . The location of this proposed greenbelt also furthers. . . adjacent to Cox Creek. <i>For the most part</i> the area of the greenbelt corresponds to lands located within 300 feet of Cox Creek which serve as a buffer within the Chesapeake Bay Critical Area. <i>Additional lands have been included within this proposed greenbelt at its southern edge to limit further development along portions of the Route 18 corridor.</i></p> <p>Implementation of this concept. . . as shown on Map 5-2 <i>and may require downzoning of remaining land near the Route 18 corridor to limit development to protect the functions of the proposed greenbelt.</i></p> <p><u>PC Minutes ó Special Meeting 6/15/05</u></p> <p>The area identified as the Upper Cox Creek Corridor that the PC determined at its prior worksession would be retained within the Growth Area Boundary, should be reclassified to the TC (Town Center) zoning district.</p>	<p><u>Revised the excerpt from:</u></p> <p>Former Page 6-7, now Page 6-11, with respect to the <b>THE COMMUNITY FACILITIES AND PUBLIC SERVICES PLAN</b> to add the following sentence at the end of the paragraph:</p> <p style="padding-left: 40px;">ōExtension of public sewer and water to serve denied access areas should not be allowed. õ</p> <p>(*Note: Revised text added to page 6-11 with drafted issued on October 26, 2006)</p> <p><u>No changes to the excerpts from:</u></p> <p style="padding-left: 40px;"><u>Page 5-8</u> with respect to the Chester / Stevensville Separation Greenbelt</p>

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<p>(Continuation)</p> <p>Winn Krozack - representing the Kent Island Defense League (KIDL)</p> <p>Public Hearing Testimony &amp; Letter dated 1/25/06</p>	<p>(Continuation)</p> <p>1. "Because Kent Island has already absorbed more than its sustainable capacity, growth outside the community planning areas will be limited to low density lots ranging from one unit per five (5) acres to one unit per twenty (20) acres, in order to protect the environmentally sensitive areas that had not been developed prior to 2004."</p> <p>2. "Clear and objective methodologies are implemented to assess the transportation, environmental and fiscal impacts of development proposals and that these assessments can be clearly understood and provide outcomes that can be trusted by developers and residents alike."</p> <p>3. "A role will be established for a citizen's board to advise the Planning Commission and County Commissioners regarding the implementation of the Community Plan."</p> <p>By revisiting the above listed eliminations and changes and by putting the three listed stipulations back into the main body of the text, the resulting Plan would likely be supported by the citizens.</p>	<p><u>Appendix C ó The CAC's Vision (pg C-4)</u> Because Kent Island had already absorbed more than its sustainable capacity, growth outside the reduced growth areas were limited to low density lots ranging from one unit per five (5) acres to one unit per twenty (20) acres, in order to protect the environmentally sensitive areas that had not been developed prior to 2004. . . .</p> <p><u>Appendix C ó The CAC's Vision (pg C-10)</u> The development of clear and objective methodologies used to assess the transportation, environmental, historical and fiscal impacts of development proposals that can be clearly understood and provide outcomes that can be trusted by developers and residents alike.</p> <p><u>Appendix C ó The CAC's Vision (pg C-10)</u> A role was established for a citizen's board to advise the PC and County Commissioners regarding the implementation of the vision.</p>	<p><u>Page 5-4 South Route 8 Corridor</u> Proposed changes in land use designation in this area would establish a density of one residential unit per 20 acres within those portions of the area that are located in the Chesapeake Bay Critical Area ...Remaining lands ...would be designated as part of the "CS" zoning district which would limit development to a maximum of 1 residential unit per 5 acres . . .</p> <p><u>Staff Note:</u> Most existing neighborhoods outside the Planning Area are zoned NC, even though there are vacant lots of record within these communities.</p> <p><u>Page 6-12 The Community Facilities and Public Services Plan</u>  <ul style="list-style-type: none"> <li>Develop clear and objective methodologies that can be used to assess the transportation, environmental, historical and fiscal impacts of development proposals that can be clearly understood and provide outcomes that can be trusted by developers and residents alike.</li> </ul> </p>	<p><u>1. Revised Page 5-4, South Route 8:</u> "Proposed changes in land use designation in this area should establish a density of one residential unit per 20 acres within those portions of the area that are located in the Chesapeake Bay Critical Area (approximately 1/3 the total land area or 112 acres), consistent with the County's "Countryside" zoning district. The designation of remaining lands (approximately 296 acres) should limit development to a maximum of one residential unit per five acres if cluster development design standards were applied."</p> <p><u>2. Added the following to Page 5-5:</u> "Growth on Kent Island outside the Community Planning Area will be limited in order to protect the environmentally sensitive areas that had not been developed prior to 2006."</p> <p><u>3. Revised last paragraph, page 5-22:</u> "This chapter has outlined the major plan recommendations based on the discussion of issues in Chapter 3. Recommendations are designed to move in the direction of achieving the CAC's Vision, as articulated in the Forward, for the Chester and Stevensville communities over time. These recommendations include that clear and objective methodologies are used to assess the transportation, environmental and fiscal impacts of development proposals. . . . Therefore, the Planning Commission will continue to seek and utilize citizen participation regarding the implementation of this Community Plan."</p>

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James Parker ó Bay City and a member CAC  Public Hearing Testimony	Supports KIDL's letter and position. Also, two points to emphasize: 1. The CAC's Vision Statement for low-density lots, clear and objective assessments of transportation, environmental and fiscal impacts and establishment of a citizens board to assist in implementation of this Plan must be returned to the main body of the Plan. Otherwise it certainly will be treated like any other appendix items, viewed merely as information or for reference only. 2. An assumption the PC delayed the completion of the Plan and this hearing so that major residential development activities could be approved or at least initiated. Put in the appendix a detailed list of actions approved during the period from July 28, 2004, which was the last public hearing, until now.	1. Refer to the above box with excerpts from the CAC's Vision Statement	2. Should another Appendix be added that includes a listing of project approvals in Chester and Stevensville between the July 28, 2004, Public Forum at KIHS and the January 25, 2006, Public Hearing.	No changes
Mary Kerr-Stevensville  Public Hearing Testimony	One of the most important issues facing the county today is development. Review all the suggestions and requests made by KIDL.  Move back to the main text of the Plan the stipulations to have clear and objective methodologies to assess the transportation, environmental and fiscal impacts of development.  Replace the stipulation to have the citizen board to work with the Planning Commission and the County Commissioners regarding implementation of the Community Plan.	Refer to the previous box with excerpts from the CAC's Vision Statement		Revised last paragraph on page 5-22: ö . . Recommendations are designed to move in the direction of achieving the CAC's Vision, as articulated in the Forward, for the Chester and Stevensville communities over time. These recommendations include that clear and objective methodologies are used to assess the transportation, environmental and fiscal impacts of development proposals. . . . Therefore, the Planning Commission will continue to seek and utilize citizen participation regarding the implementation of this Community Plan.ö
Rick Moser Public Hearing Testimony	This Plan is substantiality different then the plan proposed by the CAC. Request that the PC substantiality alters this to make it more consistent to the CAC version. If this cannot be accomplished I do not want my name associated with your plan in anyway.			No changes
Jack Broderick - Chester and CAC  Public Hearing Testimony	Endorses KIDL's and Mary Kerr's comments. Specifically, the strong recommendation that no further Critical Area Growth Allocation be approved for KI. That the height limitations around the Bay Bridge Airport be very strictly adhered to and be put back in. The footprint of the sewer plant that concerns us that it not be extended into lands purchased by POS. Two additional comments, that are very strong to this plan, PC did not tinker with is the design standards that were included as an appendix. But, put the CAC Vision back where it belongs and help to strengthen the overall effect of that plan.	Refer to previous boxes in this table with excerpts from the CAC's Vision Statement and sections on the WWTP.	Text of the CAC's Vision Statement would have to be modified in order to become the PC's Vision Statement, and be consistent with other modifications that the PC made. Sections of the CAC's Vision Statement refer to the entire Kent Island, not just the Community Planning Area.	<u>The CAC's Vision Statement</u> was moved from an Appendix to a Forward located at the front of the document.  Refer to revisions as previously noted with respect to KIDL's comments.

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<p>Steve Kougoures ó Chester</p> <p>Public Hearing Testimony</p>	<p>Map 5-1. Yellow areas identify areas that were removed from the previous plan; to protect the remaining headwaters of the creeks.</p> <p>Scenic vistas. When we come over the Narrows Bridge on to KI, you can look out either to the left or your right. There are very specific parts of views that would be terrible if those were filled with houses. It is a scenic vista and it is what you see and what makes KI.</p> <p>Restore the vision to the front of the main document. That vision sets the tone and the spirit of why CAC wrote the plan the way it did.</p> <p>KIDL had some good points, consider those.</p>	<p>Refer to the KIDL comments previously noted in this table</p>	<p>Refer to the above box.</p>	<p>Added new bullet to Page 5-22 with respect to scenic overlooks:</p> <ul style="list-style-type: none"> <li>▪ Locate scenic overlooks where people can stop, park, and appreciate the view.</li> </ul> <p>The CAC's Vision Statement was moved from an Appendix to a Forward located at the front of the document.</p> <p>Refer to revisions as previously noted with respect to KIDL's comments.</p>
<p>Carol Fordonski ó Kent Island</p> <p>Public Hearing Testimony &amp; Letter dated 1/25/06</p>	<p>This Planning Commission version does not reflect the wishes of the citizens of QAC. The CAC fought long and well for the wording in our report so that its vision and recommendations would truly reflect the concerns of fellow citizens. The CAC report called for certain restrictions such as:</p> <ul style="list-style-type: none"> <li>No further award of growth allocation in critical areas</li> <li>Elimination of SMPD and CMPD zoning</li> <li>Strict adherence to height limitation in the Bay Bridge/Airport area</li> <li>Strict adherence to the boundary of Terrapin Park and not allowing the sewer plant to infringe on this area</li> <li>No extension of sewer/water service outside the designated growth area down Rt. 8</li> <li>Emphasis on Chester/Stevensville separation via required greenbelt areas.</li> </ul> <p>The PC Draft has so weakened and/or changed the CAC stated recommendations as to make them subject to unrestrained interpretation by petitioners, staff and the Planning Commission. Please restore the CAC recommendations.</p>	<p>Refer to previous boxes with excerpts in response to KIDL's comments.</p>		<p>Refer to revisions as previously noted with respect to KIDL's comments.</p> <p>Language added to Ch. 1, page 1-9, to recognize the work and efforts of the CAC:</p> <p>“The CAC conducted multiple work sessions during the months of September and October 2004 to review draft plan elements. Changes and revisions were incorporated in the initial draft plan as a result of long hours of work sessions during evening meetings so that the final report would truly reflect the concerns of these dedicated citizens who continued to serve on the CAC. ð</p>
<p>Cindy Parr ó Rt. 8</p> <p>Public Hearing Testimony</p>	<p>Agrees with the KIDL recommendations.</p> <p>Traffic issue - reason for being against development on Rt. 50 and Rt. 8 corridor. It is not about growth or no growth; its about safety.</p> <p>Over development is one of the biggest things hurting the bay. The Chesapeake Bay Verses Growth.</p>	<p>Refer to previous boxes with excerpts in response to KIDL's comments.</p>		<p>Refer to revisions as previously noted with respect to KIDL's comments.</p> <p>Language added to Ch. 6, page 6-1:</p> <p>ðInvestments in transportation system infrastructure will be required through the planning period to better manage traffic, improve safety, and reduce congestion to the extent possible and facilitate the movement of people and goods. ð</p>

Speaker	Issue	Draft Plan Excerpts	For PC discussion	PC Decision
<p>Forrest P. Chisman - CAC member</p> <p>Letter dated 1/26/06</p>	<p>Supports all recommendations of the CAC, and opposes the PC changes. Supports KIDL's specific suggestions for changes that should be made to align the PC Plan with the CAC's, and offers three additional points:</p> <ol style="list-style-type: none"> <li>Goals for the future. Most citizens want Kent Island to remain a distinctive environment that combines residential land use with abundant amounts of countryside and water access. Most public officials see the future of Kent Island as a gradual evolution toward well-planned suburbia. The citizens' concern is that the sheer volume of development is far too great. The CAC message is no more tract development, and very low density development in the context of abundant countryside or villages if there is to be further development at all. Strongly urges adoption of a 10 year moratorium on approval [of] all new multi-unit residential development on Kent Island.</li> <li>The "Gateway." Among the plans the CAC rejected was the illustration included in the PC's Draft; this "conceptual" rendering was not considered satisfactory by anyone. The CAC proposed that a special planning process should be established to create a plan for the "Gateway" that should be accomplished by a special board with a "design competition." The PC Draft ignores and dismisses the CAC's recommendation. Strongly urges the PC to recommend a special authority and process for planning the future of the Gateway.</li> <li>The Ellendale Tract. The CAC recommended that this tract be removed from the growth area, however, the PC Draft retains the area within the growth area. No reason to be included when other contiguous and similar tracts are excluded. The PC should eliminate the Ellendale tract from the Growth Area.</li> </ol>	<p><u>Page 5-6</u> Because this location is so prominent, the CAC recommended a design competition as a means of securing the very best treatment of the site that reflects these land uses and design objectives. However, the PC proposes that design standards should be established to insure the highest possible quality in architecture and landscape treatment of this site. . . .</p> <p><u>Page 5-4 South Route 8 Corridor</u> Several parcels all located South of Route 50 and East of the Maryland Route 8 corridor totaling approximately 408 acres in land area are proposed for removal from the Stevensville Community Planning Area. Most of this area has been proposed for development that have not secured plan approvals . . .</p>	<ol style="list-style-type: none"> <li>Moratoriums must be related to:  availability of infrastructure when such inadequacy is subject to system improvements on a timetable that is part of a CIP; or  temporary overall moratorium during the process to adopt new land use regulations.</li> <li>The Gateway ó The conceptual illustration labeled "Alternate Proposed Bay Bridge Gateway Site" on page 5-7 of the PC Draft Plan is the exact same illustration (Figure 6-1) on page 6-5 of the CAC's October 2004 report.</li> <li>Ellendale has been awarded both Growth Allocation and Sewer Allocation, and paid a deposit on Sewer Allocation.</li> </ol>	<ol style="list-style-type: none"> <li>No recommendation for moratorium.</li> <li>Deleted the conceptual illustration labeled "Alternate Proposed Bay Bridge Gateway Site"</li> <li>No changes to the Plan with respect to the Ellendale Tract.</li> </ol>
<p>Terry Babb ó Stevensville</p> <p>Public Hearing Testimony</p>	<p>Thanked the PC for supporting the design guidelines. The Planning Department must take the geographic realities of KI seriously. Reduce the growth area around Rt.8 by removing the McKee and Kent Manor Inn properties. Camp Wright is not required to be included, as Matapeake qualifies as a stand-alone PFA. Do not include Camp Wright in the planning area with any possibility of sewer.</p> <p>Include the CAC's vision in the main body of the text; don't let it be lost in the appendix. Urges that the language used in the final plan be strong enough and clear enough so that it can be enforced, not ignored, overlooked or disregarded. Include very strong language and emphasis on the greenbelt area, it is as important as the design guidelines.</p>	<p><u>Page 5-4 South Route 8 Corridor</u> Several parcels . . totaling approximately 408 acres in land area are proposed for removal from the Stevensville Community Planning Area. Most of this area has been proposed for development that have not secured plan approvals including "The Cloister (101 acres and 291 residential units), and "Kent Manor" (222 acres and 450 units).</p> <p><u>Page 5-5</u> Several additions to the Community Planning Area boundary are proposed. . . . The second area crosses a small area of Camp Wright south of Bay City to allow for the possibility of providing public water and/or sewer to that institutional facility.</p>	<p>The PC Draft Plan removes from the Community Planning Area the "McKee" and "Kent Manor" properties referenced by Ms. Babb.</p> <p><u>Camp Wright</u> The only portion of Camp Wright included in the Community Planning Area is the strip located between the Chesapeake Bay and the existing utility easement that extends between Bay City and the Water Tower at Matapeake.</p>	<p>Refer to revisions as previously noted with respect to the Route 8 South Corridor.</p> <p>No changes with respect to the portion of the Camp Wright property.</p> <p><u>The CAC's Vision Statement</u> was moved from an Appendix to a Forward located at the front of the document.</p>

Speaker	Issue	Draft Plan Excerpts	For PC discussion	PC Decision
<p>Trish McQuestion Stevensville</p> <p>Public Hearing Testimony &amp; Letter dated 2/1/06</p>	<p>Not a member of KIDL but agrees with what they are saying. Requests reconsideration of several points in the Draft Plan.</p> <p>Residential development of Kent Manor will destroy the planned gateway to the Eastern Shore. Allowing further residential development and sewer allocation to new homes on Kent Manor sends the wrong message. Let the sewer allocation go to where the people already live to replace failing septic systems rather than to encourage sprawl.</p> <p>Further commercial or residential development along the Rt. 8 corridor should not move forward without proper infrastructure. This includes Camp Wright, Matapeake and all other developments. There are many opportunities to improve existing buildings, revive ugly strip mall, and build within existing subdivisions.</p> <p>Aside from the Draft Plan, reconsider the proposed Giant Store complex. Disagrees with any number of gas pumps being included.</p>	<p>Refer to the above box.</p>	<p><u>Page 5-4 Proposed Community Planning Area Boundary</u></p> <p>Key areas . . . that are proposed for removal include:</p> <p>South Route 8 Corridor</p> <p>Several parcels . . . totaling approx. 408 acres in land area are proposed for removal from the Stevensville Community Planning Area. Most of this area has been proposed for developments that have not secured plan approvals including ðThe Cloistersö (101 acres and 291 residential units), and ðKent Manorö (222 acres and 450 units). . . .</p> <p><u>With respect to Camp Wright</u>, refer to the above box. Matapeake is an existing PFA, and will remain as a PFA whether or not it's incorporated into the Chester / Stevensville Community planning Area.</p> <p>PC Minutes Special Meeting of 6/15/05 The inclusion of the western edge of Camp Wright within the Growth Area Boundary is intended to only facilitate future expansion of public water and sewer to Matapeake; the language of the text should be clear that it is not to facilitate any change of use or development of Camp Wright between the waterline and Route 8.</p>	<p>Refer to revisions as previously noted with respect to the Route 8 South Corridor.</p> <p>No changes with respect to the portion of the Camp Wright property.</p> <p>The Planning Commission had already granted concept plan approval to the Giant Store project, and the project has been awarded growth allocation.</p>
<p>Rich Altman ó Queenstown</p> <p>Public Hearing Testimony &amp; Letter dated 2/1/06</p>	<p>No particular suggestions for adjustments to this Plan, but offered suggestions how to adjust the public process.</p> <p>Has many books that have a forward and do not have an appendix. Move the CAC's Vision forward. Don't have to put it into the plan as a part of the formal Planning Commission recommendation, but bring it forward.</p>	<p>Refer to previous boxes in this table</p>		<p><u>The CAC's Vision Statement</u> was moved from an Appendix to a Forward located at the front of the document.</p>

Speaker	Issue	Draft Plan Excerpts	For PC discussion	PC Decision
Eric Wargotz ó Queenstown Public Hearing Testimony	The CACø Plan represents the will of those individuals representing their community. Would be remiss to not strongly consider the critical points of that plan, some of which is reduce the growth area. Should not allow high density housing on Kent Island. There should be no additional growth allocation in the critical area. Have not mentioned the schools on KI; already overcrowding problems in the schools. Respect the process; respect the decision of the community as reflected by the CACø Plan.	Refer to previous boxes in this table		The Chester and Stevensville Planning Area has been identified as a growth area; density is 3.5 units/acre. Investments in infrastructure are necessary to accommodate development in the Planning Area. <u>Added three new paragraphs to Ch. 6, The Transportation Plan</u> on pages 6-1 & 6-2:  öIn addition to the improvements and new connectors outlined in this section, a comprehensive transportation study of the entire Kent Island road network is needed. . . . The transportation projects addressed in this Plan must be incorporated into the CIP, which would outline funding for the improvement whether it be through impact fees, County or State funds, or combinations of sources.ö
Ross Roloson Email dated 2/7/06	<ol style="list-style-type: none"> <li>Commercial Development ó The use of existing commercially developed space is not given top priority. There is a large amount of unused space at Piney Narrows. If the PC and CC make it harder to gain approval for commercial, those underutilized areas will fill up.</li> <li>Parks ó Rather than open up critical areas for developers, open a park. Also, new development should pay for the expanding recreational areas.</li> <li>Critical Areas ó Hold to buffer requirements.</li> <li>Roads ó Plan for twice what will be needed. If need two-lane road, then plan for four lanes with a median. Also, copy the Castle Marina Traffic circle to other locations.</li> <li>Require that all future development install underground utilities.</li> </ol>	<ol style="list-style-type: none"> <li><u>Page 5-7</u> KIHS Expansion &amp; Park Site <u>Pg 5-8</u> Davidson Farm Park Site</li> <li><u>Page 5-17</u> The Land Conservation Plan <ul style="list-style-type: none"> <li>A three hundred foot buffer from tidal waters within the Chesapeake Bay Critical Area.</li> </ul> </li> <li><u>Page 6-6 &amp; 6-7</u> Pedestrian Improvements <ul style="list-style-type: none"> <li><b>Enhance the pedestrian climate along Route 18 (Main Street) from Cox Creek to downtown Stevensville</b> . . . To improve aesthetics and safety, overhead utility wires along Route 18 should be consolidated, buried or relocated where possible, particularly in the vicinity of the middle school. . . .</li> <li><b>Further develop pedestrian connections between Chester and Kent Narrows</b> . . . To improve aesthetics and safety, and provide scenic vistas, overhead utility wires along Route 18 should be consolidated, buried or relocated where possible.</li> </ul> </li> </ol>	<ol style="list-style-type: none"> <li>Piney Narrows is part of the Kent Narrows Community Planning Area.</li> <li>Property north of KIHS if not needed for future school expansion is proposed as a park, as well as the Davidson Farm Park site.</li> <li><u>Page 5-18</u> Allow no exceptions to a 300øbuffer requirement.</li> <li>The Transportation Plan is part of Chapter 6.</li> <li>County Ord. #05-20 adopted on 1/17/06 repealed the provisions to require that electric lines be installed underground.</li> </ol>	<ol style="list-style-type: none"> <li><u>Added Tool/Technique #21 to Ch. 7</u> öIn order to encourage redevelopment of underutilized commercial spaces the County should consider adoption of a policy whereby commercial redevelopment projects within the Planning Area be given priority status through the development review process, and review of such projects are streamlined.ö</li> <li>Refer to previous notes with respect to the KIHS Expansion &amp; Park Site and Davidson Farm Park Site</li> <li>Refer to previous notes with respect to the shore buffer.</li> <li>Refer to prior box with respect to transportation.</li> <li>Added recommendation that service lines be installed underground.</li> </ol>

Speaker	Issue	Draft Plan Excerpts	For PC discussion	PC Decision
<p>Carl Zacarias of Schaller &amp; Gorski, L.L.P ó On behalf of his client Kent Manor Inn, LLC and its owner Allen Michaels</p> <p>Public Hearing Testimony &amp; Letter dated 1/23/06 &amp; Letter dated 2/7/06</p>	<p>Represents Kent Manor Inn (KMI), LLC, owner of approx. 224 acres (Tax Map 56, Parcel 21) on east side of Route 8, south of Route 50, abuts the Ellendale property. The KMI property is located in the Stevensville Growth Area under current Plan, but is deleted from the growth area in the Draft Plan. Closely scrutinize the decision with regard to deleting the growth areas south of Rt. 8. Some growth along the Rt. 8 corridor should be permitted with regulations requiring greenbelts, buffers, parks, etc., as advised by the consultant. This way State funding for infrastructure is preserved, and provides public access to the water and open space. By deleting these properties the County relinquishes the power to cluster housing, provide locations for public water access and obtain monies for public infrastructure. Perhaps, instead propose more innovative measures within the growth area. Measures that this developer has the integrity to comply. Take a second hard look deleting the properties along the Rte 8 (S) corridor.</p> <p>For a variety of reasons KMI respectfully requests the PC to reject the Draft Plan or that portion thereof whereby the KMI property is deleted from the growth area.. As further articulated in the 1/23/06 letter, these reasons include the composition of the CAC and its decision making, unfair treatment of the development proposal by the Dept. of P&amp;Z, the County's adverse treatment of the KMI property when compared to the far more favorable treatment of the adjacent Ellendale property that has received preliminary development approvals and a sewer and water designation of S1/W1 and sewer allocation, and that KMI, Cloisters (immediately to the west) and Ellendale were to jointly pay for and share public infrastructure improvements, and the Adverse Effects of the Draft Plan since the property owners of land deleted from the growth areas will seek to develop the properties to the greatest extent they can for which the end result will resemble 64 lots consisting of 5 lots of twenty acres and 59 lots of five acres on wells and septic systems such that any rural character of these lands will be lost. KMI sincerely hopes that legal action will not be necessary in order to protect its vested property interest.</p>	<p><u>Page 5-4</u>    <u>South Route 8 Corridor</u></p> <p>Several parcels all located South of Route 50 and East of the Maryland Route 8 corridor totaling approximately 408 acres in land area are are proposed for removal from the Stevensville Community Planning Area. Most of this area has been proposed for development that have not secured plan approvals including öThe Cloistersö (101 acres and 291 residential units), and öKent Manorö (222 acres and 450 units). . . .</p> <p>Proposed changes in land use designation in this area would establish a density of one residential unit per 20 acres within those portions of the area that are located in the Chesapeake Bay Critical Area (approximately 1/3 the total land area or 112 acres). Remaining lands (approximately 296 acres) would be designated as part of the County's öCountrysideö zoning district which would limit development to a maximum of one residential unit per five acres if cluster development design standards were applied. All told, development potential in this area would be reduced from approximately 1,411 units to approximately 64 units with redesignation out of the Community Planning Area and the SMPD zoning classification.</p>		<p>No change to the boundary of the Community Planning Area as proposed in this Plan, except to correct a mapping error next to parcels 260 and 429 (located next to the intersection of Route 8 and Kent Manor Drive)</p>

Speaker	Issue	Draft Plan Excerpts	For PC discussion	PC Decision
<p>Mark F. Gabler of Rich and Henderson, P.C. Representing Kent Island, LLC</p> <p>Letter dated 1/25/06</p> <p>Represents Kent Island, LLC, owner of 104.99 acres (Tax Map 58, Parcel 279) located on the east side of Route 8, Stevensville.</p>	<p>Represents Kent Island, LLC, owner of 104.99 acres (Tax Map 56, Parcel 279) located on the east side of Route 8, Stevensville. The Draft Plan (page 5-4) recommends down-zoning of Parcel 279 changing the zoning from SMPD (3.5 units/acre) to CS (1 unit per 5 acres). The property has been in the Stevensville growth area for many years, is zoned for residential development and is within reach of the KNSG sewer facilities. The down-zoning is directly contrary to the PC April 10, 2003 approval of the Cloisters on Kent Island sketch plan proposing a 289 unit residential subdivision, and its recommendation for an immediate service designation. No legitimate basis for the conflicting decisions made by the PC with respect to this Property. Draft Plan unfairly discriminates against Kent Island, LLC because other similarly situated properties in the growth area have not been recommended for down-zoning, citing Ellendale, which was recommended for down-zoning in the CAC Plan dated October 2004. Contrary to what is said in the Draft Plan, Cloisters does have plan approval including sketch plan approval from the PC on April 10, 2003. The only thing that separates Ellendale and Cloisters is the Sanitary Commission's arbitrary, capricious and illegal refusal to provide sewer service to Cloisters. Ellendale's approval for immediate service designation was made under the premise that Cloisters would also be served (and thus developed with appropriate density for the growth area) and was made expressly contingent upon development of a shared sewer infrastructure between Ellendale, and neighboring developments including Cloisters.</p> <p>More than \$30 million in funding from the State has been approved for the upgrade and expansion of the KN/S/G WWTP, specifically to serve development within existing growth areas (as they existing at the time of the approvals), and the Draft Plan conflicts with such approvals. The County was not approved for the State funding under the premise that it would be mounting an effort to stop growth and/or development.</p> <p>For the reasons articulated in the letter, Kent Island LLC objects to the recommendation to downzone its property, which will cause it a severe financial hardship.</p>	<p><u>Page 5-4</u>     <u>South Route 8 Corridor</u></p> <p>Several parcels all located South of Route 50 and East of the Maryland Route 8 corridor totaling approximately 408 acres in land area are proposed for removal from the Stevensville Community Planning Area. Most of this area has been proposed for development that have not secured plan approvals including "The Cloisters" (101 acres and 291 residential units), and "Kent Manor" (222 acres and 450 units). . . .</p> <p>Proposed changes in land use designation in this area would establish a density of one residential unit per 20 acres within those portions of the area that are located in the Chesapeake Bay Critical Area (approximately 1/3 the total land area or 112 acres). Remaining lands (approximately 296 acres) would be designated as part of the County's "Countryside" zoning district which would limit development to a maximum of one residential unit per five acres if cluster development design standards were applied. All told, development potential in this area would be reduced from approximately 1,411 units to approximately 64 units with redesignation out of the Community Planning Area and the SMPD zoning classification.</p>		<p>No change to the boundary of the Community Planning Area as proposed in this Plan, except to correct a mapping error next to parcels 260 and 429 (located next to the intersection of Route 8 and Kent Manor Drive)</p>

Speaker	Issue	Draft Plan Excerpts	For PC discussion	PC Decision
<p>Michael J. Bozek - Centreville</p> <p>Public Hearing Testimony &amp; Letter dated 1/25/06</p>	<p>Purchased 15-acre parcel of land (Tax Map 57, Par. 67) in August 2003, presently zoned Suburban Estate and located in the Critical Area with an LDA designation, and served by public sewer with a public sewer line running through the middle of it to a pumping station located on what was a portion of the property. The property is surrounded by residential and institutional uses connected to public sewer. The entire property is in the Chester Growth Area under the current existing Community Plan, but is removed from the Growth Area in the Draft Plan. Opposes removing any portion of the property as being inconsistent with proper planning standards and criteria for the following reasons:</p> <ol style="list-style-type: none"> <li>1. This property is appropriately designated as a growth area as it is surrounded by existing improved residential, institutional and governmental lots.</li> <li>2. The lots surrounding this property are served by public sewer.</li> <li>3. This property is served by public sewer.</li> <li>4. Smart Growth encourages growth on öinfillö parcels, surrounded by development and served by public sewer.</li> <li>5. Thoughtful planning does not reclassify a portion of a parcel creating a özoning islandö. Parcels as small as this should have one zoning classification as it presently does.</li> <li>6. There is no justification form either a planning or legal perspective for the proposed changes to this lot.</li> <li>7. The proposed changes will have a major adverse financial impact on the owner.</li> </ol> <p>Consider the history and facts surrounding this lot, and keep the entire lot in the growth area as dictated by good planning practices.</p>	<p><b>Page 5-5 Southeast Chester</b></p> <p>Land Area in Southeast of Chester which is currently located within the designated Community Planning Area consisting of approximately 180 acres located South of Route 18 and North of Goodhands Creek Road. Portions of this area totaling an estimated 120 acres are proposed for removal from the designated Community Planning Area with approximately 80 acres located near the intersection of Route 18 and Dominion Road planned to remain within the designated Community Planning Area. Assuming a density of 3.5 residential units within targeted Community Planning Areas, development of the site today under its current classification might support approximately 550 residential units. With the proposed reclassification of lands proposed for exclusion from the Community Planning Area, potential development would be limited to approximately 240 units on portions remaining in the Community Planning Area and approximately 24 residential units on portions removed from the Community Planning Area assuming a maximum density of 1 unit per 5 acres.</p>		<p>This property has sewer allocation, and payments have been made into an established sewer account. Consistent with the decision with respect to other properties for which the Sanitary Commission granted sewer allocation and thus remain within the Community Planning Area, this property should also remain within the boundary that establishes the Community Planning Area.</p> <p>Amended the Plan and maps to retain this property within the Community Planning Area boundary.</p>
<p>Michael Foster of Foster, Braden &amp; Thompson</p> <p>Representing his client Chester Haven Beach Association</p> <p>Public Hearing Testimony &amp; Letter dated 2/8/06</p>	<p>Chester Haven Beach Development is property for which a plat was approved and recorded in 1959 creating 186 lots.</p> <p>1962 - PC issued Certificate of Exemption recognizing the 186 lots.</p> <p>1964 - County adopted first zoning maps, zoned R-3 Urban Residence.</p> <p>1987 - with County's comprehensive rezoning, the property was rezoned NC-15, average of 15,000 sq. ft. lots</p> <p>1989 - County adopted Critical Area Act; property designated RCA. However, due to existing lots of record status, the following was adopted in Chapter 14 of the County Code:</p> <p>§14:1-22 (D) Land subdivided before December 1, 1985, and located in resource conservation area. Notwithstanding contrary density requirements of</p> <p>(Continued on next page)</p>	<p><b>Page 5-4 Chester Haven Beach</b></p> <p>This location consists of lands totaling 103 acres portions of which are adjacent to the Route 50 corridor and bounded by the Chester River/Piney Creek to the East. Removal of this area from the designated Community Planning Area will support protection of scenic views from the Route 50 corridor.</p>		<p>No change to the boundary of the Community Planning Area as proposed in this Plan</p>

Speaker	Issue	Draft Plan Excerpts	For PC discussion	PC Decision
<p>Michael Foster of Foster, Braden &amp; Thompson</p> <p>Representing his client Chester Haven Beach Association</p> <p>Public Hearing Testimony &amp; Letter dated 2/8/06</p>	<p>(Continuation)</p> <p>this Chapter 14:1, land subdivided into lots of record prior to December 1, 1985, and located within a resource conservation area may be developed for any permitted residential use at a density not exceeding the number of existing lots in the subdivision. Reconfiguration of individual lots under single ownership to a permitted residential use that enables development to more closely comply with applicable critical area development standards is encouraged.</p> <p>1994 - the County adopted a new zoning ordinance and new maps. Once again zoned NC-15 recognizing what legally existed in 1959.</p> <p>1995 ó The owners appeal a decision of a conditional use request by the BOA. In rendering its decision, Maryland's highest Court notes:</p> <p>. . . In fact, as far as we can discern from the record in this case, for zoning purposes, the property, though perhaps non-conforming, has, through grandfathering, retained its density and single-family lot status, i.e., an 186 lot subdivision for detached family units.</p> <p>Sewer ó All 186 lots designated S-1 under the existing plan as well as the proposed Update (staff note: which was still pending at the time of the letter).</p> <p>2004 - zoned Master Plan District; would allow the developer to be more creative.</p> <p>2005 - letter from Director of P&amp;Z confirming the existing lots of record.</p> <p>There was a building permit issued for a house on one of the lots towards the waterfront that combined 6 lots to 1 lot, so now really have 181 lots of record.</p> <p>The Plan and particularly the maps reflect that this property is undeveloped. However, it is not undeveloped ó it has been developed - it exists. They can start building on 181 totally uncreative lots.</p> <p>Suggests incorporating something similar to the Critical Area Law, to encourage them to come up with a better plan to incorporate a redevelopment that would carry forth more of the purpose and intent of this Plan, such as the 300' buffer, and other more sensitive ideas that are reflected by this plan. Otherwise, will be developed óas is.ö</p> <p>Recommends a new designation of C/SMPD ó nonconforming, that would only apply to existing non-conforming lots or projects of record, that would allow redevelopment provided that the density shall not exceed the existing lots of record.</p>		<p>(Continuation)</p> <p>If the Draft Plan is modified as requested by this comment, then the suggestions proposed by the comments should be discussed:</p> <p>Suggests incorporating something similar to the Critical Area Law, to encourage them to come up with a better plan to incorporate a redevelopment that would carry forth more of the purpose and intent of this Plan, such as the 300' buffer, and other more sensitive ideas</p> <p>Recommends a new designation of C/SMPD ó nonconforming, that would only apply to existing non-conforming lots or projects of record, that would allow redevelopment provided that the density shall not exceed the existing lots of record.</p>	

Speaker	Issue	Draft Plan Excerpts	For PC discussion	PC Decision
<p>Michael Foster of Foster, Braden &amp; Thompson</p> <p>Personal Comments Letter dated 2/8/06</p>	<p>This plan reflects a no growth vision for all of Kent Island. We do need growth. Downtown Stevensville has struggled to reach a critical mass. Many business have left the town while a few other survive but do not thrive. The proposed plan supports a rejuvenated town center core, the need for parks and open space, but it doesn't tell us how we will achieve these lofty goals. This is a "vision" not a plan.</p> <p>Would like a plan, not vision and would like a plan that recognizes the inevitable and indeed necessary "growth," but also channels that growth so that we can achieve some of the visions contemplated by the plan. Take time and be deliberate before making the CAC vision the PC plan. Need a plan that chart a path for future which cannot be based on a "no-growth" scenario.</p>			<p>No changes</p>
<p>SHA 6</p> <p>Letter dated 12/28/05</p>	<p>Provide a statement noting that Chester and Stevensville are located along the Chesapeake Country National Scenic Byway (CCNSB), worthy of strategies that encourage sensitivity when making decisions concerning the visual quality surrounding this resource.</p> <p>Add the following as a general transportation policy within Chapter 6:  "Refer to SHA's <i>Scenic Byway Design Guidelines</i>, whenever any type of road improvements occur along the Chesapeake Country National Scenic Byway."</p>		<p>Route 18 is part of the Chesapeake Country National Scenic Byway.</p>	<p><u>Added new bullet to Page 5-22, in the section on <b>Scenic Vistas and Corridors:</b></u></p> <p>Locate scenic overlooks where people can stop, park, and appreciate the view.</p> <p><u>Added new bullet to Page 6-12, in the section on <b>The Community Facilities and Public Services Plan:</b></u></p> <ul style="list-style-type: none"> <li>▪ <b>Refer to the State Highway Administration's (SHA) <i>Scenic Byway Design Guidelines</i> whenever any type of road improvements occur along the Chesapeake Country National Scenic Byway (Route 18).</b> Locations along the Scenic Byway should be identified for pedestrian and bicycle vistas, as well as places where vehicles can stop, park, and appreciate the vista.</li> </ul>
<p>Anne Arundel County, MD</p> <p>Letter dated 1/13/06</p>	<p>Offered no comments regarding the structure, text, or recommendation presented in the Plan and wished QAC well in the Plan's adoption.</p>			<p>No changes</p>

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<p>MD Department of Planning</p> <p>Letter dated 1/23/06</p>	<p>The draft Plan was sent to the MD Departments of Transportation, Environment, Natural Resources, Business &amp; Economic Development, Housing &amp; Community Development, Agriculture, and MD Emergency Management Agency. Also reviewed by MDP for consistency with the Planning Act of 1992, the Smart Growth Act of 1997, and other State growth management principles and policies. Comments:</p> <ol style="list-style-type: none"> <li>1. Growth Management óMust complete a Development Capacity Analysis (Executive Order signed in August, 2004). This analysis produces build-out estimate based on existing zoning, land use, parcel data, sewer service, and information on un-buildable lands. This analysis does not account for school, road, or sewer capacity. The estimates are focused on the capacity of the land to accommodate future growth based on zoning and other information.</li> <li>2. Building Permit caps ó MDP's research has shown that the court has upheld permit limitation that are directly tied to inadequate infrastructure [needed to support the development (such as sewerage treatment capacity)] when those inadequacies are subject to correction through system improvements and upgrades on a timetable that is part of a capital improvement program. Arbitrary limits set to merely control órate of growthö have been struck down.</li> <li>3. Water and Sewer ó The issues noted in MDP's letter of 9/13/05 on the County's draft Water and Sewerage Plan are also incorporated by reference. The Community Facilities chapter addresses water and sewer issues with only two general policy bullets on Page 6-7.</li> </ol> <p>These policies are not geographically specific and do little to link these services with the land use element. Important problems and issues related to water and sewer, both resource availability and infrastructure, that bear on the location and amount of development, were identified in Chapter 1. The Plan should follow up on these identified issues and discuss how (or whether) they affect the land use element and vice versa. The Plan is virtually silent on what the land use element means for where and when water and sewer service should be provided (or prohibited).</p> <p>The spartan treatment on this topic could cause difficulty in making the legally required determination that Water and Sewerage Plan amendments must be consistent with local comprehensive plans.</p> <p>Water supply limitations were identified in Chap. 1 as an existing or potentially limiting factor for development. This resource limitation should be discussed as to what it means for development capacity, or</p> <p>(Continued on next page)</p>	<p>Page 7-17 Tool or Technique #25 Population Rate Control or Building Permit Cap</p> <p>Page 6-7 Public Water and Sewer Facilities to support planned growth. If public water and sewer service are needed for development within the designated Chester and Stevensville Community Planning Areas the County should negotiate with private development interests to facilitate innovative financing approaches and agreements with developers to help fund and construct improvements to the sewerage treatment system.</p>	<ol style="list-style-type: none"> <li>1. Development Capacity Analysis: The 2002 Countywide Comprehensive Plan contains such an analysis based on the Planning Areas as defined in the 1997 Chester Community Plan and the 1998 Stevensville Community Plan.  A Development Capacity Analysis based on the adjusted Community Planning Area presented in the Draft Plan must be completed and incorporated as per the Executive Order signed in August 2004.</li> <li>3. The County's Master Water and Sewerage Plan was adopted by the County Commissioners in February 2006.</li> </ol>	<ol style="list-style-type: none"> <li>1. Development Capacity Analysis Section and new map added to Chapter 4 , starting on page 4-7.</li> <li>2. No changes. In Chapter 7, Tool or Technique #25 on Population Rate Control or Building Permit Cap states:  öTherefore, a population cap is not recommended for the Chester and Stevensville Community Planning Area.ö</li> <li>3. A new section on <b>Water and Sewerage</b> was added to Chapter 6, starting on page 6-8.</li> </ol>

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<p>(Continuation)</p> <p>MD Department of Planning</p> <p>Letter dated 1/23/06</p>	<p>(Continuation on Water &amp; Sewer)</p> <p>limitations thereon. Likewise, issues related to the allocation of sewer capacity, pending in the recent draft of the County W&amp;S Plan also bear on development capacity, development location, and water quality. This Plan should provide the foundation for the sewer allocations identified in the most recent draft W&amp;S Plan.</p> <p>While this Community Plan does not focus on the Rte 8 corridor, community sewer allocations for that area, and the impact of infilling 1,000 lots in that area (also and area of concern identified in Chap. 1 that is not further addressed in this Plan) have clear implications for sewer, water, and other infrastructure along Rte 8 and elsewhere in the Community Planning Area. It would be beneficial to address this issue with some depth and clarity.</p> <p>4. Priority Funding Areas ó The Plan appears to have overlooked the topic of Priority Funding Areas (PFA) that have been Certified by QAC for much of the Chester / Stevensville planning area. The Plan needs to incorporate a discussion of PFAø and their relationship to Sate funding for infrastructure improvements.</p> <p>A certified copy of the adopted Comprehensive Plan must be filed with the Clerk of the Circuit of QAC (Art. 66B, Section 5.02)</p> <p>5. Pages 2-27 and 2-28 are out of order.</p> <p>6. Page 2-15, Floodplains &amp; wetlands ó Recommend the addition of language that acknowledges the dynamic of the floodplain in the light of rising sea levels and the risks of relying on the existing outdated delineations and current regulations. Alternately, note that this issue needs attention in the future as to its impact on future development plans on Kent Island. The topic of hazard reduction planning does not seem to be specifically addressed, but in light of the recent experience with Hurricane Isabel, a discussion of that event and its implications should be added. The 300 ft buffer recommended on 5-8 is a step in this direction, although not billed in the context of hazard reduction.</p> <p>(Continued on next page)</p>		<p>4. A section on PFAø should be added to Chapter 1. (see attached)</p> <p>Once adopted, a certified copy will be filed with the Clerk of the Circuit Court</p> <p>5. In several the first copies delivered from the printers, the pages were out of order, but this has been corrected.</p> <p>6. FEMA is responsible for updating the floodplain maps that provide floodplain delineations. A hazard reduction element is not currently a requirement of Article 66B, but in 2005 the County adopted a Hazard Mitigation Plan that was prepared through the Department of Emergency Services.</p>	<p>4. A discussion of Priority Funding Areas was incorporated into Chapter 1, in the section on the <b>1997 Smart Growth and Neighborhood Conservation Initiatives</b>, starting page 1-5.</p> <p>5. No change.</p> <p>6. Added new paragraph to the Floodplain section in Chapter 2 as follows:</p> <p>öThe Federal Emergency Management Agency (FEMA) is responsible for updated the floodplain maps that provide floodplain delineations. Because of recent experience with Hurricane Isabel in September of 2003 the County adopted a Hazard Mitigation Plan that was prepared through the Department of Emergency Services.ö</p>

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<p>Continuation</p> <p>MD Department of Planning</p> <p>Letter dated 1/23/06</p>	<p>(Continued on next page)</p> <p>7. Page 5-7 indicates a proposed pedestrian underpass in the vicinity of the Bay Bridge Gateway. We commend the County on planning for enhanced pedestrian connectivity but question the feasibility of an underpass in this area given its proximity to the Chesapeake Bay and the high water table on Kent Island.</p> <p>8. Commended the County on its commitment to and Affordable Priced Dwelling Unit program as outlined in Appendix B.</p> <p>9. Suggested the County work with the CAC and the citizens of the entire County to dispel the apparent belief that arbitrary growth limits, not related to infrastructure deficiencies, are permissible or advisable [as seems to be the case from the discussion in Appendix C]</p>		<p>7. The illustration on Page 5-7 of an Alternative Proposed Bay Bridge Gateway Site includes a notation for trail connections that references underpasses under Route 50. These should either be changed to overpasses, or deleted from the illustration.</p>	<p>7. Deleted the illustration, and textual reference to the Figure.</p> <p>8. No changes.</p> <p>9. No changes.</p>
<p>Maryland DNR letter dated 12/2/05 and Attached to MPD letter dated 1/25/06</p>	<p>Determined that the subject plan is consistent with DNR's goals, objectives and programs. The Department found the draft plan to be an excellent planning document, especially relative to natural resource protection.</p>			<p>No changes</p>