

Annual Report – 2009



From the Chesapeake Beach
Planning & Zoning Commission
Date: July 14, 2010

ACKNOWLEDGEMENTS

Mayor

Bruce A. Wahl

Town Council

Patrick J. Mahoney, Vice President

Dr. Valerie L. Beaudin

Robert E. Carpenter

Stewart Cumbo

Ingrid K. Lamb

Julie L. Spano

Town Administrator

Dr. James L. Parent

The Planners of Chesapeake Beach

Planning & Zoning Commission

Jeff Labar, Chairman

Nancy Feuerle

Randy Getman

Eleanor R. Nelson

Tim Stafford

Marilyn Van Wagner

Board of Appeals

Jim Burke, Chairman

Dr. Ken Horsmon

Jeff Krahling

Doris Spencer

Warren LaHeist



Ben Dyer & Associates

Engineers / Surveyors / Planners

TABLE OF CONTENTS

Planning & Zoning Commission of Chesapeake Beach	1
2009 Annual Report	1
Authority For Local Planning - Article 66B	1
Purpose	1
Planning Commission Synopsis of Minutes 2009	2
January & February 2009	2
March 2009	2
April 2009	2
May 2009	2
June 2009	2
July 2009	2
August 2009	2
September 2009	3
October 2009	3
November 2009	3
December 2009	4
Permits Issued 2000 through 2009	5
Projects in Town	6
Completed Projects	6
Ongoing Projects	7
New Projects	7
Chesapeake Beach Railway Trail	9
Map of Changes	10

PLANNING & ZONING COMMISSION OF CHESAPEAKE BEACH

2009 Annual Report

Authority For Local Planning - Article 66B

The State of Maryland entrusts local jurisdictions with land use planning authority. Article 66B of the Maryland Annotated Code delegates planning and land use regulatory authority to all non-charter counties and all incorporated municipalities outside of Montgomery and Prince George's counties, as well as specifically identified towns within these two jurisdictions.

This statute enables local government to guide growth and development; outlines the responsibilities, roles, and functions of the planning commission; and sets the "ground rules" for operations.

Purpose

The Planning Commission shall advise the Town Council on all matters relating to the orderly growth of the Town of Chesapeake Beach. In accordance with Article 8 of the Zoning Ordinance, the Planning Commission, with the advice and assistance of the Town staff and/or retained town planning experts, shall:

- Prepare and recommend a Comprehensive Plan for the Town of Chesapeake Beach, and review and update said plan at least once every six (6) years.
- Prepare and recommend amendments to the Zoning and Subdivision Ordinances.
- Review and make recommendations on amendments to the Zoning Map.
- Review proposed public facilities for consistency with the Comprehensive Plan in accordance with the provisions of Article 66B, Section 3.08, Code of Maryland.
- Review and approve Category 1 Site Plans in accordance with the provisions of Article 6.
- Review and approve certain parking and landscaping modifications according to the procedures in Article 5.
- Review and approve subdivision plats.
- Prepare and adopt an annual report in accordance with the provisions of Article 66B, Section 3.09, Code of Maryland.
- Conduct other activities as set forth in this Ordinance and as provided for by Article 66B of the Annotated Code of Maryland.

Planning Commission Synopsis of Minutes 2009

January & February 2009

No meetings held

March 2009

Reviewed Ordinance O-01-09, *An Ordinance of the Town Council of Chesapeake Beach, Maryland, Amending Section 5-201(G) of Chapter 50, Zoning Code, of the Town Code of Chesapeake Beach, to remove the prohibition against locating residential off street parking within the front setback area between the principal structure and the street* and recommended the Town Council to approve Ordinance O-01-09.

April 2009

Gave Final approval of 3 Condominium Plats in Richfield Station – Block R Phases 2 & 3 and Building L.

Gave Final approval to replat Lots 55 thru 57 to eliminate 1 lot and merge into the adjoining lots; Replat Lots 20 thru 22 to eliminate 1 lot, eliminate the private street serving them and to make that private street a driveway for Lot 21-R; Replat Lots 13 thru 15 to shorten the private Street, and eliminate a lot.

May 2009

Confirmed that the Chesapeake Village replattings are in conformance with the approved preliminary plan.

June 2009

Gave Preliminary and Final Approval for the Harkins Property – Property Line Adjustment

July 2009

Rockwell Townhomes - Reviewed and gave approval of the Rockwell Forest Conservation Plan. Approved the request to pay fees-in-lieu of \$3,702.60 to be paid at the time of issuance of permits.

Gave final approval on final subdivision of Rockwell Townhomes – 8 Townhouses on Cox Road.

Jon Michael Fortier requested the Planning and Zoning Commission to extend the period of time for reconstruction to start after the destruction of a shed by the Tornado in June of 2008. The consideration was tabled to allow opportunity for the Commission Members to make a site visit.

August 2009

No meeting held

September 2009

Mike Fortier withdrew his request for extension of time to reconstruct shed from storm damage due to the fact that Mr. Fortier was not aware of the requirement that construction should have started within 1 year of the date of the damage.

Granted Final approval for 56 lots, streets and open space in Chesapeake Village 56 lots, streets and open space.

Considered and made recommendations to the Town Council on the Draft proposal of a Fence Ordinance O-09-5

Granted Preliminary Approval, with conditions for The Heritage –74 lots.

Conditions included approval of the Forest Conservation Plan, with modifications to preserve more monument trees; Retaining Walls behind Bayside Baptist Church must have fencing of some sort behind the Church property as they operate a day care; Provide the Town Engineer more detail and attention to the Sewer Pump Station; build a sidewalk that goes down Cox Road and to the entrance to Bayside Baptist Church to meet eventually with the Chesapeake Railway Trail; provide the State Highway Administration additional information/analysis on the Traffic Study, as regards a possible traffic light; The Calvert County Department of Public Works has given preliminary approval to both the Storm Water Management design, as well as the Roads, Drainage, Grading and Sediment Control plans.

October 2009

No Meeting held

November 2009

Informal review of revised architectural elevation for townhouses showing a reverse gable and staggered rooflines at Rockwell, located on Cox Road.

Review and discuss the draft of the Comprehensive Plan, Update 2009.

Richfield Station – Made a determination that the revised Preliminary Plat represented a “Minor Change” from the previously approved revision to the RPC from early 2006, after growth allocation had been granted, and therefore did not require revising the RPC Plan.

Richfield Station – Approval of revised Preliminary Plan for the remainder of Block S, with the following conditions:

Designate 2 “No Parking” areas and require that the curbs be painted red and “No Parking” painted on the pavement, this is to be the HOA’s responsibility to enforce this restriction. The easement for the Railway Trail will need a new description and agreement.

December 2009

Approved minutes of December 3, 2009 Work Session regarding the Town of Chesapeake Beach Comprehensive Plan, Update 2009.

Reviewed and made a recommendation to the Town Council on a draft Ordinance O-09-13 for after-the-fact Zoning Permits.

Permits Issued 2000 through 2009

Year	Single-Family	Townhouse	Multi-family	Total
2000	79	73		152
2001	59	142		201
2002	28	36	70 ¹	134
2003	43			43
2004	24			24
2005	14			14
2006	15	13		28
2007	27	19	56 ²	102
2008	33	6	30	69
2009	40	6	24	70

¹ Horizons On-the-Bay

² Richfield Station – 2007 – 2009 are primarily 2 Townhomes stacked one over the other or simply a Condominium Land Regime

Projects in Town

Completed Projects

SHA Streetscape - The SHA constructed their “Streetscape Program” in 2008 & 2009. The work limits were along MD 261 from Beach Elementary School to the boundary with North Beach and MD 260 from MD 261 to G Street. This work consisted of re-surfacing both roads and adding or improving sidewalks/boardwalks. From the school northwards to Mears Avenue, no walk was installed on the east, due to conflicts with utilities, existing development or the very steep slopes adjacent to the highway. MD 260 from MD 261 also had 2 center landscape islands and enhancement of the pedestrian crossing at the signal light. As a part of this project, the prior “security-type” street lights located on the existing electric poles were removed and replaced with the attractive new lights at street level to afford better and more attractive lighting for the pedestrians.



Cox Road Sewer - Some of the sewer pipe on Cox Road was rated Level Of Service 1. The peak hour flows were greater than the capacity of the line. A portion of the lines, on the eastern end of Cox Road was upgraded from an 8-inch line to a 12-inch line. This was intended to bring the pipes to Level Of Service 3 for 5-year and 10-year loadings.

Ongoing Projects

Richfield Station - Richfield Station has virtually completed development of all of the land planned for Single-Family Homes, leaving the land in the Critical Area remaining for primarily Townhouse and Multi-family development.

Chesapeake Village - Chesapeake Village has recorded 180+ of the preliminarily approved lots (219) and is still requesting permits for and building new homes.

New Projects

D Street Sewer Replacement - Wastewater re-use - Install "Purple Pipe" from treatment Plant to Kellam's Fields for landscape watering. Expand to other Town Properties as funding becomes available.

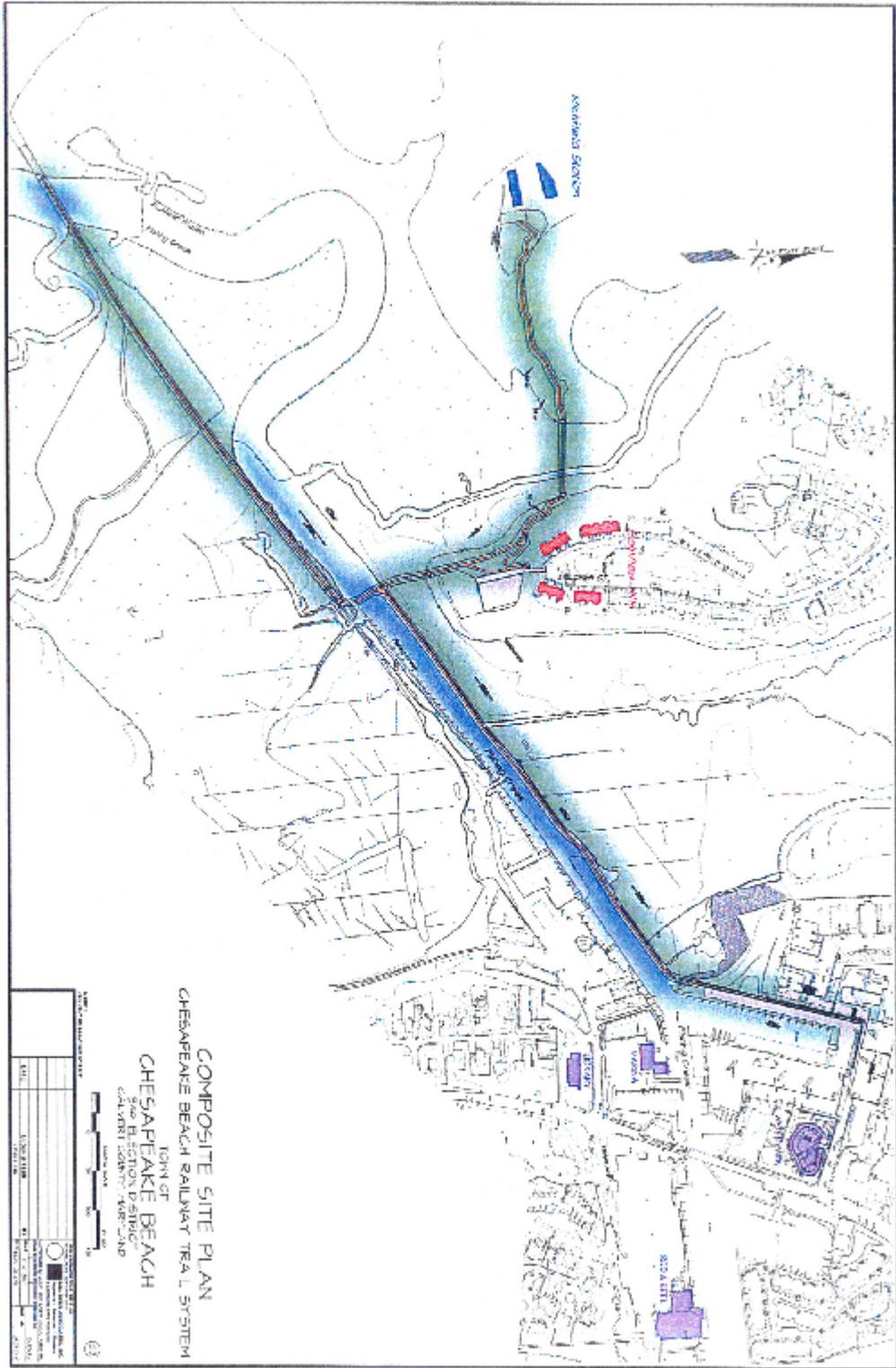
Some of the sewer line along 26th Street, E Street, and D Street are rated Level Of Service 1. The peak hour flow exceeds the capacity of these pipes. Upgrading these pipes was intended to provide adequate capacity during peak flows.

ENR Design – On May 6, 2003, MDE released the Draft Strategy for Implementation of Enhanced Nutrient Removal at Major Wastewater Treatment Plants. The new strategy calls for the State to provide incentives to encourage all major wastewater treatment facilities in the State to voluntarily implement capital and operational improvements designed to achieve new ENR goals of 3.0 mg/L TN and 0.3 mg/L TP on an annual average basis. Note that although the facilities must be designed to achieve an annual average TN goal of 3.0 mg/L, the actual goal stated in the NPDES permit would be 4.0 mg/L TN on an annual average basis. The incentives for implementing ENR include partial State grant funding for all capital improvements necessary to achieve ENR goals at the approved planned capacity for each facility. Planning, engineering design, and construction costs are also eligible for prorated State grant funding. In addition, the draft strategy includes a policy for accommodating future growth within the State. The policy was developed to establish no net nutrient load addition to the Chesapeake Bay as population, and wastewater flow, in the region increases. To achieve this, the effluent nutrient discharge load from each Maryland facility will be capped at the loading rate equivalent to a concentration of 4.0 mg/L TN and 0.3 mg/L TP at the approved planned design capacity of the facility.

R/R Trail – The Chesapeake Beach Railway Right-of-Way has the potential of becoming a pedestrian/bicycle/horseback-riding trail that would provide recreation to area residents and promote tourism. The total length of the corridor is approximately 7.7 miles, from its eastern terminus at the Railway Museum, westward to the Patuxent River. The off-road portion of the right-of-way (approximately 3.4 miles) involves 18 separate parcels. Approximately 1,800 feet of the Chesapeake Beach Railroad runs adjacent to Fishing Creek, through the County owned Fishing Creek Park.

The Town of Chesapeake Beach was recently awarded a \$1.6 million TEA-21 grant to develop a portion of the right-of-way that will connect Bayview Hills and Richfield Station to the center of town. TEA-21 stands for the Transportation Equity Act for the 21st Century, which authorizes Federal surface transportation programs for highways, highway safety, transit and other surface transportation. The program has several sub-categories that are also allocated funding, including programs for bike transportation and pedestrian walkways, and a recreational trails program. The contract has been bid, though at the time of the writing of this report, the construction has not yet started.

Chesapeake Beach Railway Trail



Map of Changes

