



**COMMISSIONER PRESIDENT  
REUBEN B. COLLINS, II**

**DOCKET 250 AMENDMENT #3  
COMMUNITY CONCERNS**

**PRESENTED BY COMMUNITY REPRESENTATIVE  
JANIS (JOHN) BILMANIS**

**BRIEFING JUNE 18, 2024, 11:30 A.M.**

# DOCKET 250 AMENDMENT #3 COMMUNITY CONCERNS

## AMENDMENT #3 CHANGES

- Adds Timeshares, AirBnBs, VRBOs
  - ❖ Beyond 1500 Homes and Hotel
  - ❖ Small City – New 3 Cobb Islands
- Changes Ingress/Egress Plan
  - ❖ Evacuation Plans
  - ❖ Emergency Services Plan

Increased Stress

## Interested Parties

- All That Share Common Resources
- Not Just Those Within 200 Feet

## Water/Sewer Resources

- Aquifer Has Changed Since 2007
- Tourism Increases Water/Sewer Usage
- No Central Water Plans For Cobb Neck
- Replacement Wells Backlogged & Costly

## Transportation Resources

- Single Lane Road Evacuations
- Raised Road Creates A Dam
- Emergency Services Access Limited

*Support For A Win-Win  
Promote Growth – Balanced Without Harm*

# WOODLAND POINT & POTOMAC VIEW ROAD “UNANIMOUS” COMMUNITY PETITION

## AMENDMENT #3 CHANGES

- Builds on 40+ Years Of Evolution
  - ❖ Increases Stress on Resources
  - ❖ Impacts Floodplain
- Significant Changes In Environment
  - ❖ Aquifer Depletion
  - ❖ Rising Flood Waters & Floodplains

Major Concerns

## Study #1

- USACE/MDE/FEMA Flood Assessments
- Provide Alternatives For Consideration
- “Due No Harm” To All Residents

## Study #2

- MDE & CHCO Aquifer Assessments
- Aquifer Has Changed Since 2007
- CHCO Planning For New Water Sources
- No Central Water Plans For Cobb Neck
- Provide Fallbacks For Shortfalls
- “Due No Harm” To All Residents

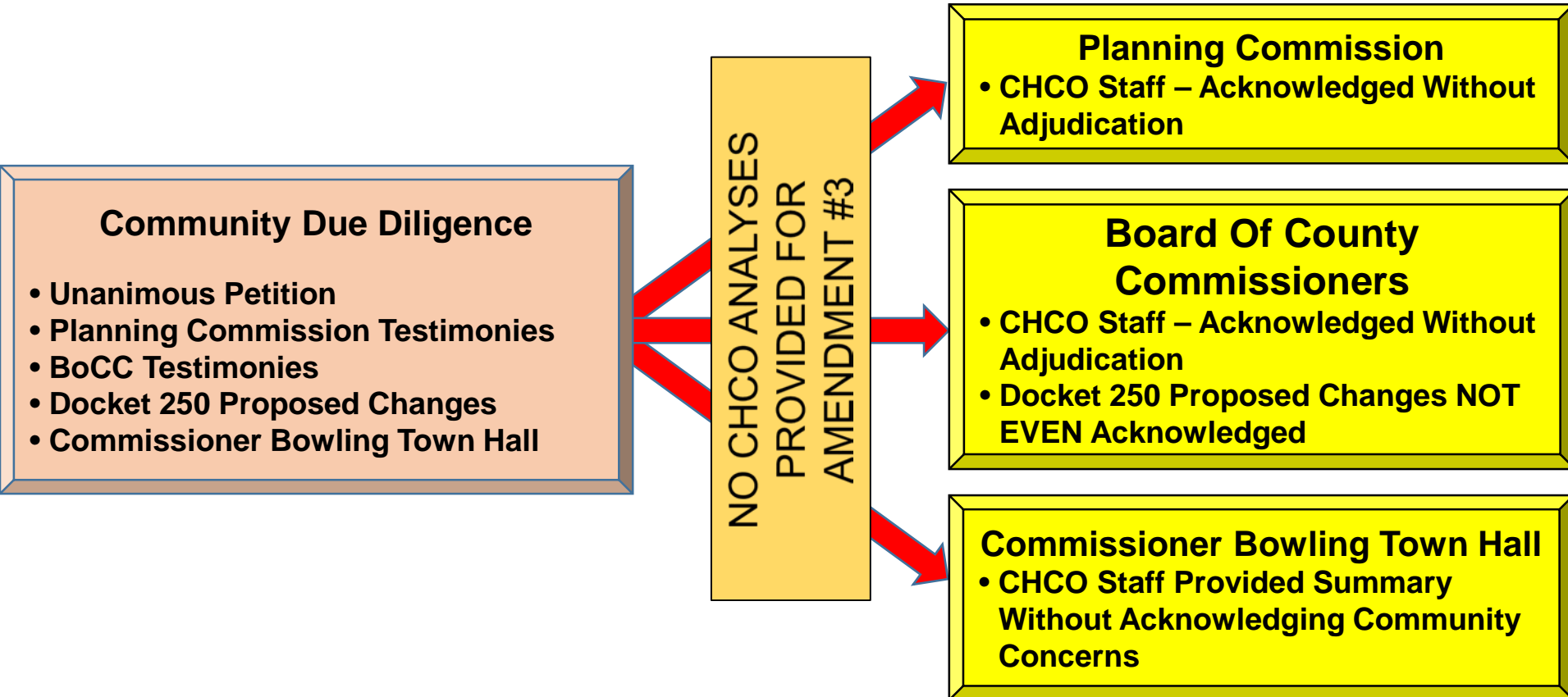
## Community Comment Responses

- Staff Provide Technical Responses
- Staff Engage Residents With Rationale
- Provide All Adjudications To PC & BoCC

## Maryland’s Planning Visions

- *Implement Sound Growth*
- *Involve Public As Active Partners*

# COMMUNITY PETITION, PC TESTIMONIES & BOCC TESTIMONIES



## APPELLATE COURT OF MARYLAND

Nos. 1753 & 1754 - September Term, 2022

- *Decisions Must Not Be “Arbitrary, Capricious, Or Unreasonable”*
- *There Needs To Be “Substantial Evidence”, “Separate Findings”, “Analyses”, And “Conclusions” Articulated By The Planning Commission*

# Docket 250 Amendment #3 Way Forward

## Docket 250 Evolution

- Amendments #1 & #2 In Place
- Potential For 1500 Residents
- Phasing Guided By Paras #20 - #26
- Amendment #3 Increases Impacts & Risks
- World Has Changed In 40 Years

## Approval Cycles For Phasing

- Adequate Public Facilities (APF) Ordinance
- Critical Area Law
- Forest Conservation Ordinance
- Water and Sewer Ordinance
- Zoning Ordinance
- Subdivision Regulations

## ANALYSES & TRANSPARENCY FOR IMPACTS & BUDGETS

### PHASING STRESS

- Newburg/Rt. 301 to Cobb Island Properties
- Traffic on Rte. 257 Increases 3X-5X
- Schools and Students' Educations
- EMS/EMT/VFD Services
- Police Services
- Environmental Health

### AMENDMENT #3 STRESS

- Storm Evacuations, Ingress & Egress at Risk
- Traffic on Rte. 257 Increases 3X-5X
- Emergency Services
- Water Supply and Aquifer Depletion
- Owner Wells and Loss of Water
- Owner Flood Impacts

## BUILDING A CITY NEEDS GOOD PLANNING FOR SUCCESS

- *Evaluate The Phasing Sufficiently Early To Support The Required Budgets*
- *Review All Assumptions To Insure Proper Foundations*
- *Educate The Residents With Full Transparency And Clarity For ALL PHASES*
- *Consider The Proposed Changes For Docket 250 That Implement "Do No Harm"*

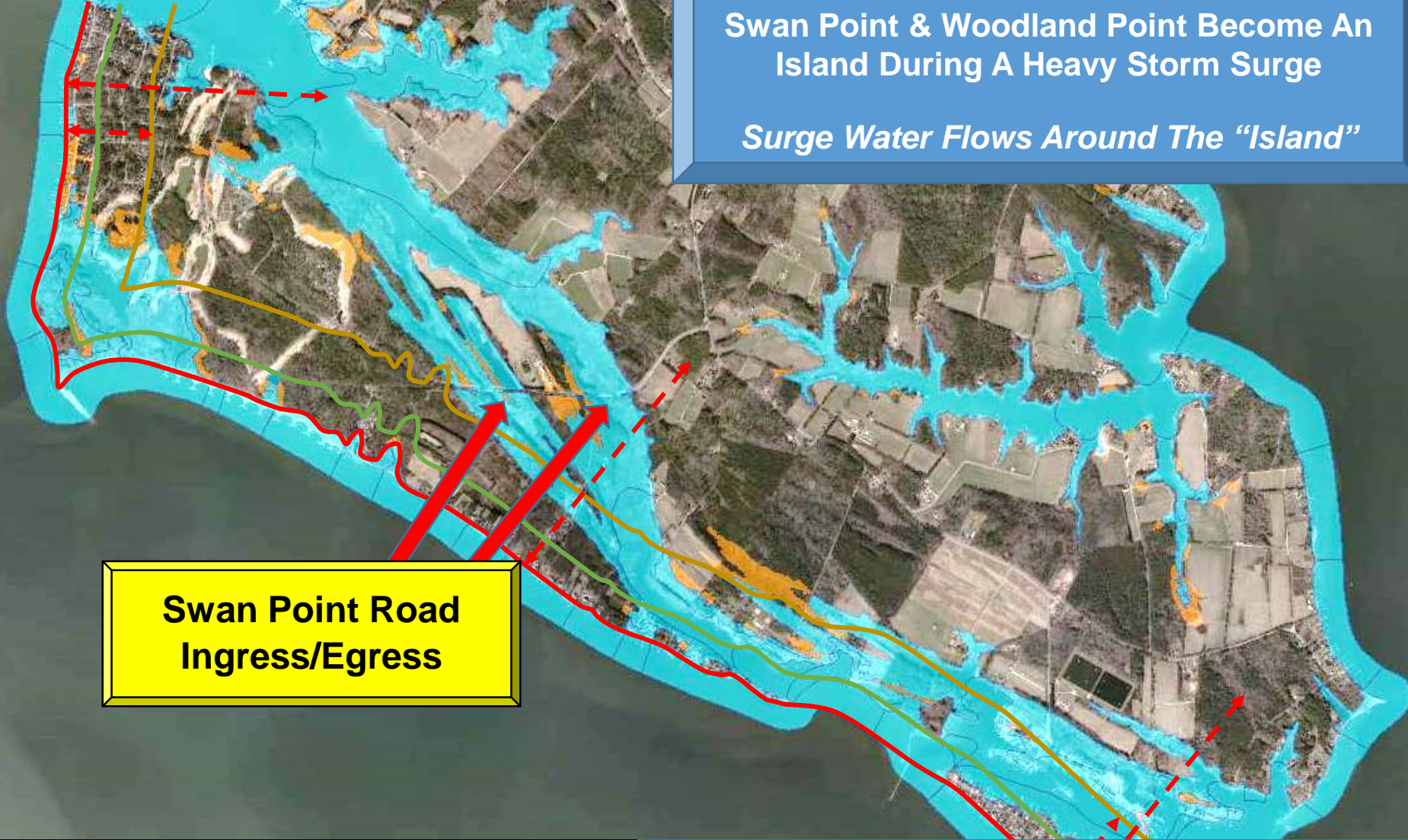


**REFERENCES**



# Swan Point & Woodland Point Become An Island During A Heavy Storm Surge

*Surge Water Flows Around The "Island"*



**Swan Point Road  
Ingress/Egress**

## RR2.0 Surge Risk Contours (DTC)

Red –	0 to 30 Ft,	100% Risk
Green –	0 to 600 Ft,	46.3% Risk
Brown –	0 to 1750 Ft,	11.8% Risk

## Safe Evacuation Requires Road Changes

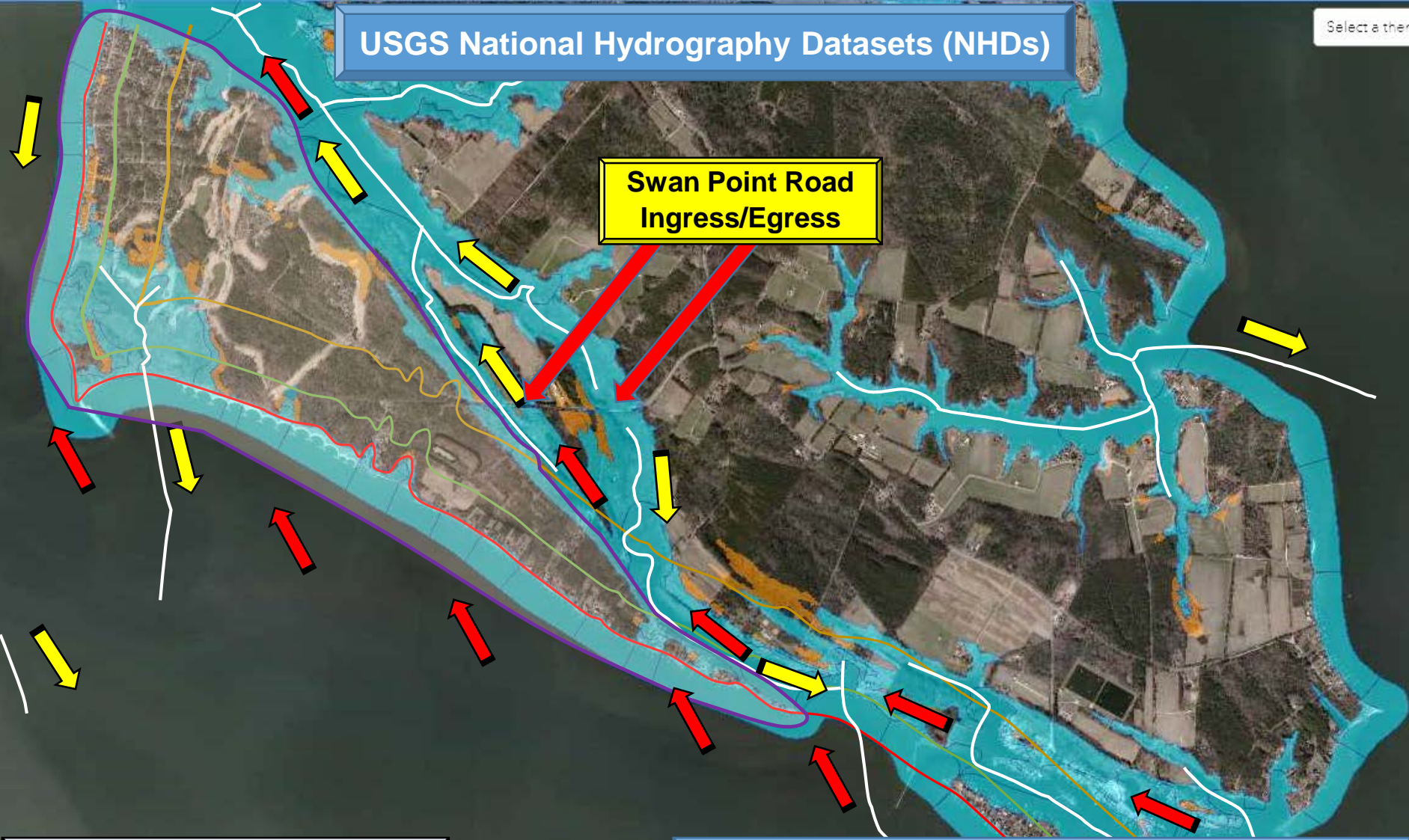
- Wider Road Helps Traffic Flow Prior Surge
- Raised Road Unless A Bridge Creates A Dam
- A Dam Creates Larger Floods For Residents



USGS National Hydrography Datasets (NHDs)

Select a theme

Swan Point Road  
Ingress/Egress



River/Creek Flows  
(USGS NHD)

Normal River/Creek Flows



Surge River/Creek Flows



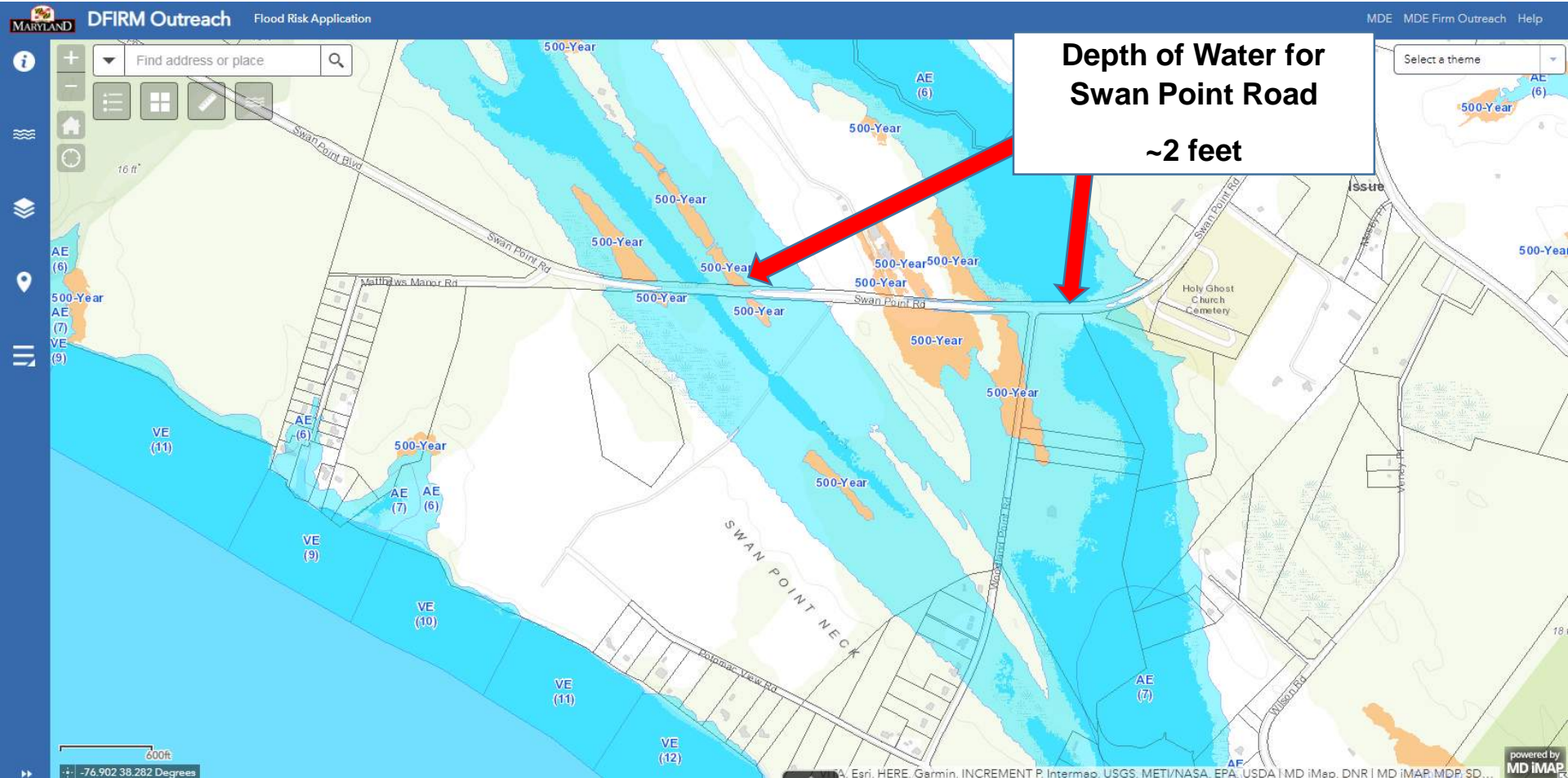
Swan Point & Woodland Point Become An  
Island During A Heavy Storm Surge

*Surge Water Flows Around The "Island"*

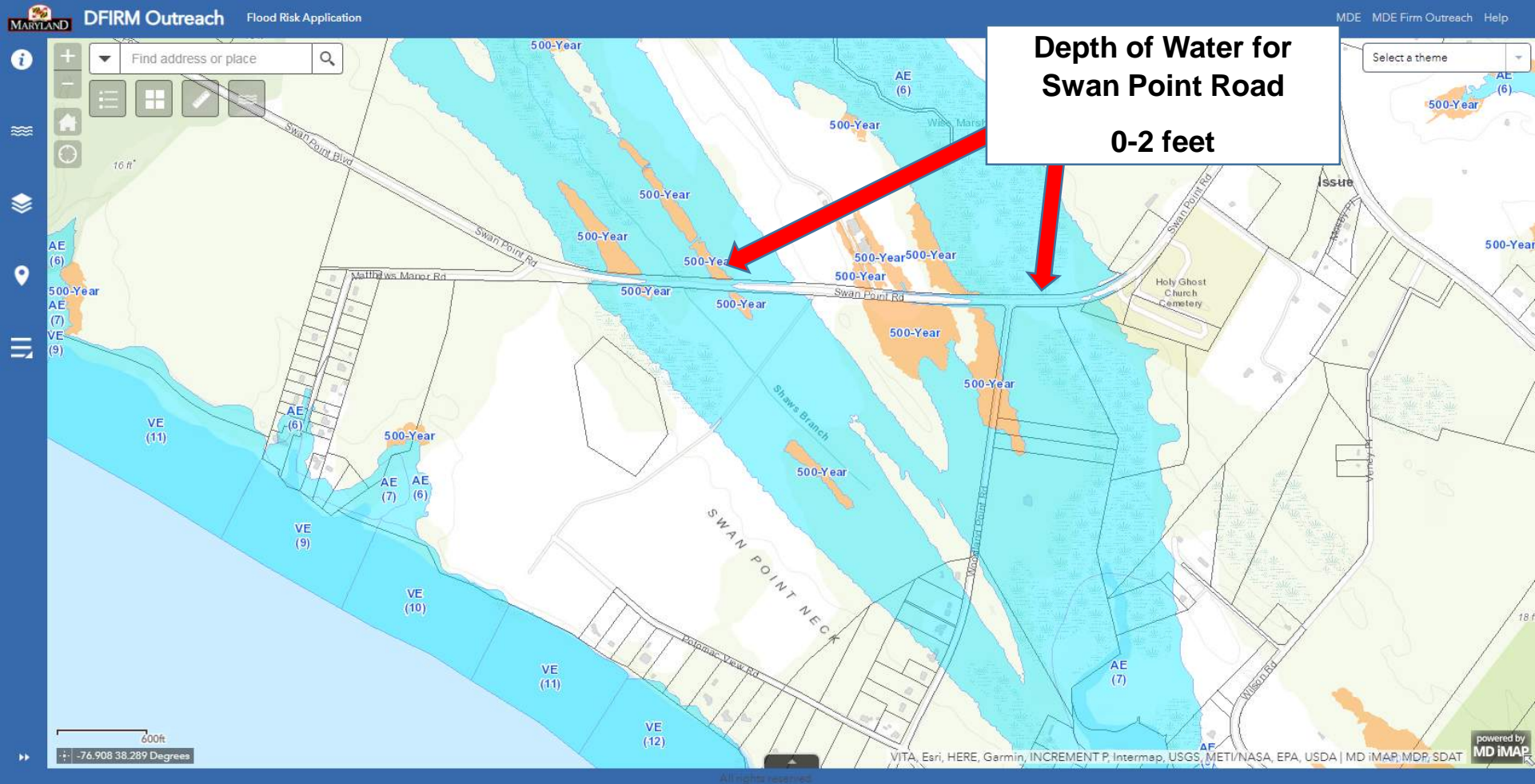


# Swan Point Road DFIRM – 08/16/23

## Shaw's Creek and Wise Marsh AE6 Flood Zone



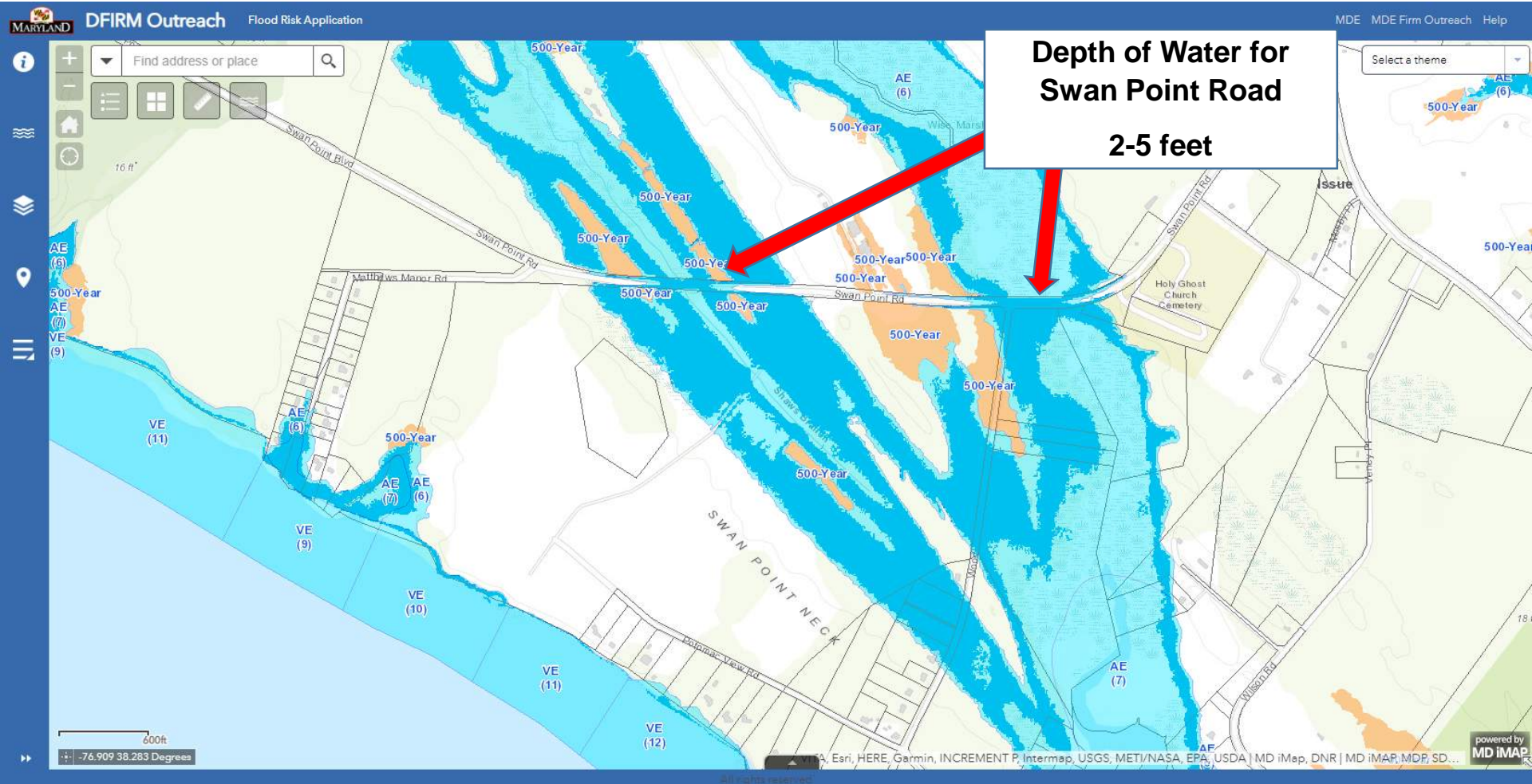
# Swan Point Road DFIRM – 08/16/23 Shaw's Creek and Wise Marsh AE6 Flood Zone w/ 0-2' Surge



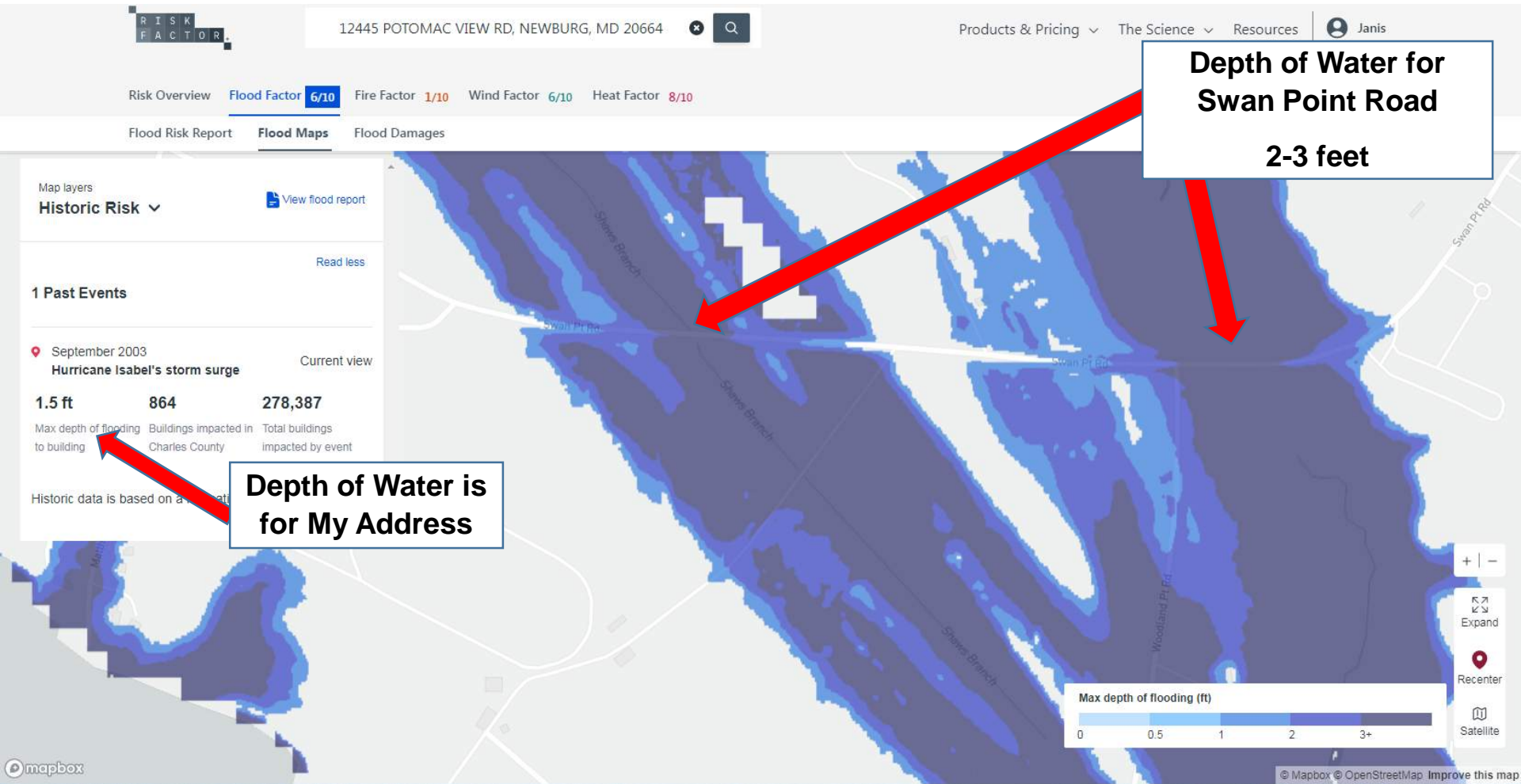


# Swan Point Road DFIRM – 08/16/23

## Shaw's Creek and Wise Marsh AE6 Flood Zone w/ 2-5' Surge



# Swan Point Road RiskFactor – 08/16/23 Shaw's Creek and Wise Marsh Hurricane Isabel – 09/19/03



BoCC Public Comment 6/11/2024

Good evening,

I'd like to thank Commissioner Bowling for his recent Town Hall where residents were given the opportunity to express their concerns about the proposed amendments to Docket 250 for the Villages at Swan Point. It is nice to know that we are not just howling into the wind when we raise concerns and provide factual testimony about issues.

However, a town hall is not a forum where the public's factual testimony and concerns can be deliberated. That open deliberation of testimony should begin at the Planning Commission's work session when they determine the findings of fact that inform their decision in an administrative decision, or their recommendation to you in a legislative proceeding.

Public Participation is one of the 12 visions of planning. In Charles County there is the ~~strong~~ perception, held by much of the public, that our testimony is reduced to a numbers game, where the *quantity* of the testimony is more important than the *quality* of the testimony. This perception is reinforced by the fact that, when submitting written testimony online, we are required to state whether we are for, against, or neutral on the issue. The answer to this question has no bearing on the quality, and factual basis of the testimony.

The public has the right to have the factual evidence we submit be openly debated, and to have the decision makers adequately articulate the basis for their decisions.

Too often, a work-session occurs without a discussion of factual testimony submitted. Since the record is closed before the work-session begins, the public is left with no recourse but accept that their testimony was a futile



must be removed from Docket 250. In the PC's letter recommending approval of Docket 250, this testimony was reduced to being a verbal comment opposed to the amendment using the term "view corridor". There was no discussion of this fact during the PC's deliberations.

The issue of View corridors is an easy one to correct in Docket 250. Others like the height and width of Swan Point Blvd demand much further open deliberation and study.

When the PC fails to deliberate on the factual testimony submitted by the public, or adequately articulate the basis for their decision, their recommendation to you is inadequate, at best, and puts a much greater burden on you.

Like the appellate court of Maryland, you should find that the Charles County Planning Commission had failed to **articulate adequately the basis for this recommendation**, and send it back to the PC for further proceeding consistent with the American Planning Association's *Decision Making Principals*.

Submitted by:

Nancy Schertler

For Docket 250

Nancy Fenton  
12195 Potomac View Rd  
Newburg, MD 20664-6309  
Email: nancyfenton@hotmail.com  
Cell: 850-499-0755

June 24, 2024

**Subject: County Commissioners Public Session Testimony Concerning  
Swan Point Docket 250 Amendment #3**

Proposed Swan Point Docket 250 A#3 Changes – 06/24/24

1. My name is Nancy Fenton and I reside at 12195 Potomac View Road Newburg, MD 20664
2. Thank you for the opportunity to provide testimony today.
3. I come here today as **an interested party** in Docket 250, since the Woodland Point and Potomac View Communities **share the same water aquifer and sewer resources.**
4. I have also provided my testimony for the record.
5. **Amendment #3 adds tourism** to a neighborhood whose foundational characteristic was residential in nature.
6. Swan Point is becoming a small seaside town **4 times the size of Cobb Island.**
7. **Tourism** will raise more revenue but **it will create a larger demand** on water and sewer resources.
8. Cobb Neck along Route 257 currently is **NOT PART** of any Charles County central water plans.

9. The last studies for the aquifer capacity were done in 2007. **That is 16 years ago**. Much has changed in that time including a significant drawdown of the aquifer with plans for new central water sources **ELSEWHERE**.
10. As homeowners **we need to renew permits with the State every three years** based on the criteria that **“this is long enough to create a significant change”** in the conditions that provided the basis of the initial approval.
11. The **developer needs to be held to the same standard**. 16 years of water aquifer depletion and now requesting to be a tourist city.
12. If there is a **failure in the aquifer to support our wells the solution is untenable for residents** as the installation of wells is backlogged and very costly.
13. The provided Docket 250 proposed changes (Paragraph 16) are examples of efforts the developer and the county need to consider.
14. All we are asking is that **Charles County puts in writing that “Makes Us Whole”** if there is an issue.
15. The burden on the residents is very serious. As a caregiver to my late disabled husband, I cannot imagine the hardships we would have faced with lack of water for washing, bathing, drinking. **No one should fear the loss of such a necessary human requirement**.
16. Smart growth can minimize the current issues with the Charles County aquifer and not make them worse such that residents lose access to water. **“Do No Harm”**.
17. I respectfully request that the CHCO Commissioners develop the appropriate changes to Amendment #3 that enables the evaluation

of alternative solutions that does **"No Harm"** to the residents of ALL interested parties.

18. Thank you for your time.

Signed *Nancy Antos*

Dated 06/24/24

Karen Huffman  
12270 Potomac View Rd  
Newburg, MD 20664-6309  
Email: karen@cybersailors.org  
Cell: 301-539-9217

June 24, 2024

**Subject: County Commissioners Public Session Testimony Concerning Swan Point Docket 250 Amendment #3**

Proposed Swan Point Docket 250 A#3 Changes – 06/24/24

1. My name is Karen Huffman and I reside at 12270 Potomac View Road, Newburg, MD 20664
2. Thank you for the opportunity to provide testimony today.
3. I come here today as **an interested party** in Docket 250, since the Woodland Point and Potomac View Communities **share the same water aquifer, sewer resources, floodplains, and roads.**
4. I have also provided my testimony for the record.
5. **Maryland's Planning Visions** call for **"Sound Growth"** and explicitly says to **"Involve the public as active partners"**.
6. As "Active Partners" we provided a **"Unanimous" Petition that noted major concerns** since there has been 40+ years of evolution and accompanied by significant changes in the environment.
7. As homeowners we are **required to renew permits** with the State and County **given significant changes**. Docket 250 **should be held to the same standards.**



8. Increased stresses on the floodplain warrant consideration as a Study. **Floodplain updates occurred 8 years ago.**
9. In 2003 **Hurricane Isabel's storm surge from Neale Sound destroyed the previous home located on my property**, making it inhabitable. It took the owners **over THREE** years to build a new home since they were required to go through state and county regulations, approval processes, and permitting system. Per Maryland.gov's Department of Assessment and Taxation, new primary structure was built in 2007.
10. Because **my home is in a flood plain** and FEMA has reformed its rating methodology, the cost of my flood insurance policy is **increasing annually by 18%** until my renewal premium reaches the **Full Risk Premium, currently set at \$2,928 but increases every year**. The new rating methodology is commonly referred to as Risk Rating 2.0 (RR 2.0). RR 2.0 indicates that it utilizes equitable rates based on the value of your property and its exposure to flood risks. If my current property was destroyed again, however, would I be compensated for its full value? No, FEMA covers \$250,000 for my house and \$100,000 for its contents after a \$20,000 deductible is met. **Increased flooding will harm this community.**
11. Increased stresses on the water aquifer warrant consideration as a Study. **No new assessments in 16+ years.**
12. We have **never been engaged as "Active Partners"** and worse we have **never been provided any assessments** about our concerns.
13. Both Charles County staff reports **Recommended No Changes** to the Planning Commission and Board of County Commissioners. Why?

14. When something is 40 years in the making the standard should not be that a **“study was done once a while back”** nor that a **“study will be done later”**.
15. Docket 250 is about building a small seaside city and is a **“contract with the county and the surrounding communities”** that needs to be thoughtfully managed, updated, and timely budgeted with all “stakeholders” involved.
16. Docket 250 **needs to be consistent with any Master Plan, clear about the growth**, and have a supported infrastructure budget before moving forward.
17. Smart Growth is about building the required infrastructure **BEFORE, NOT AFTER**, any new development creates harm to the communities.
18. Many in these communities have lived through development efforts that proceed without the proper infrastructure planned and developed until there is harm to the residents.
19. Smart growth can minimize the current issues and enable the County to move forward without making it worse for the residents. **“Do No Harm”**.
20. I respectfully request that the CHCO Commissioners develop the appropriate changes to Amendment #3 that enables the evaluation of alternative solutions and a supporting budget that does **“No Harm”** to the residents of ALL interested parties.
21. Thank you for your time.

Signed: 

Date: June 24, 2024

Janis (John/JB) Bilmanis (Community Representative)  
12445 Potomac View Rd  
Newburg, MD 20664-6309  
Email: John@Bilmanis.com  
Cell: 240-463-2804

June 24, 2024

## **Subject: County Commissioners Public Session Testimony Concerning Swan Point Docket 250 Amendment #3**

I want to thank the Commissioners for providing me (as a representative of the Woodland Point and Potomac View Communities) the opportunity to submit a Unanimous Community Petition, and potential line-in/line-out changes concerning the Swan Point Docket 250 Amendment #3. The Community concerns and **are NOT about stopping growth BUT about achieving growth without harm.** Docket 250 and Charles County need to build smartly and **“Make Whole” any losses incurred.** Proper planning, budgeting, and engineering can help achieve that goal.

**“Building a City needs good planning for Success”**

**“Smart Active Partners help implement sound growth”**

Today I would like to request that the Commissioners, **Consider Adding an Appendix or Supporting Document** that clearly and succinctly describes the policies, procedures, authorities, and notifications of interested parties when implementing future phases. A summary of major elements of Docket 250, Amendment #1, #2, and #3 should be added as a reference for added clarity.

### **Potential Amendment #3 Appendix Overview**

1. During the various hearings and meetings to date, there has been an underlying theme of confusion as to the policies, procedures, authorities, and notifications governing the phasing efforts of this development.
  - Villages at Swan Point is a large development effort **Equivalent to a Small City.**
  - Docket 250 with Amendments 1 & 2 provide for some basic agreements that are locked in like the maximum number of homes.

- Access to a **repository of previous studies** needs to be clearly documented and provided to all “interested parties”.
  - Amendment 3 essentially adds a **“tourism element”** and increases the requirements on common resources and with peak periods but it relies on aquifer studies before 2007 and floodplain information from 2015. **The world has changed in 40 years.**
  - Access to a **repository of Amendment #3 studies** needs to be clearly documented and provided to all “interested parties”.
  - Planning needs to address the common resources and peak periods like;
    - a. Evacuations with safe ingress/egress impacts
    - b. Flood and stormwater management impacts
    - c. Water and Sewer resources short term and long term
    - d. Critical area, Environmental, and Habitat impacts
    - e. Schooling impacts for teachers and students
    - f. EMS/EMT/VFD impacts for timeliness and availability
    - g. Daily traffic impacts
    - h. Police Services availability
2. **Interested Parties** are any Communities or residents that share common road ways for ingress/egress, common floodplains, common aquifer resources, common sewer resources, and all common essential services.
- This is the same foundation for environmental impacts on common resources like the Potomac River water shed and surrounding creeks.
  - This change is proposed to be **added in Docket 250 Paragraph 3F as a Definition** since the current definition is properties within 200 feet of the proposed development.
3. Phasing requests have approval cycles and are generally delineated in Paragraphs 20-26 of Docket 250 and guided by Charles County ordinances:
- Adequate Public Facilities (APF) Ordinance
  - Critical Area Law
  - Forest Conservation Ordinance
  - Water and Sewer Ordinance
  - Zoning Ordinance
  - Subdivision Regulations

Residents **don't know the County Codes & Ordinances well enough** to understand the elements in Phasing Requests or Earlier Studies

Educate the Residents **with full transparency and clarity** for ALL PHASES

4. Clarity is desired in an Appendix or Supporting Document that states;
  - How ALL Interested Parties (per the proposed Docket 250 Paragraph 3 F) are properly notified of a new phase, and notified of the study results
  - How ALL Interested Parties can engage the County with transparency as to technical rationale, critical evidence used, and the resulting analyses
  - How ALL issues noted in Paragraph 1 above are properly assessed with the conditions at the time of a phasing plan definition
  - Who are ALL the pertinent decision authorities (Federal, State, County)
  - Where and when will there be any budget shortfalls addressed

It is hard to have a technical discussion or attain understanding via **3 minute testimonies and NO Questions**

Notes:

- Approval cycles and ordinances can be links/citations. If a particular ordinance does not address any of the issues listed above it **should be noted clearly why it is not being addressed** during the phasing request.
  - Many issues have been attributed to the APF Ordinance but it is **unclear what exact studies are conducted** for flood plains, evacuations, aquifer depletion and what data was used to make the assessment.
  - Like for most permits the development of a city **needs to use pertinent recent data and timely studies**, especially where there are significant changes in the surrounding conditions.
5. **“Do No Harm”** is the foundational guideline for moving forward with development. Smart growth is about “balanced” development that supports the Critical Environment, Habitats, as well as the “interested parties” that share resources. **“A Holistic Plan.”**
    - Studies and assessments inform a smart growth plan
    - Appropriate timing and adequacy of budgets makes a plan real
    - In the face of uncertainty a fallback plan needs development for **“Do No Harm”**

Docket 250 and Charles County need to **“Make Whole”** for any losses by residents



6. We respectfully request that the CHCO Commissioners request the development of an Appendix or Supporting document that enables a **“unified understanding”** of all the elements being assessed and approved for each phasing plan request. As longtime residents, we are asking for a **“Due No Harm”** approach without restricting Smart Growth.
7. Thank you for your time. We look forward to future detailed planning efforts.

Signed *Janis Belmanis*

Dated 06/24/24

6-11-19  
Public

Howard Dent My wife and I own a home on Banks O'Dee Road in Newburg, MD

I tried to testify remotely at the Swan Point hearing in May, and although I could hear Ms. DeSoto telling me to turn on my mic, none of the buttons worked. I'll give that testimony tonight.

I want to take you back to the Planning Commission Meeting for the APF for Swan Point Road on November 18, 2019. I testified at that meeting that I thought Swan Point Road was inadequate, because in a category 2 storm, the surge would be six feet and the road would be under water. I also questioned why there was only one way in and out, which is inconsistent with subdivision regulations. There was quite a discussion among the Planning Commissioners about the safety and adequacy of Swan Point Road. I encourage everyone to watch that meeting.

Then Planning Director Jason Groth stated that this was "special case" and that Swan Point Road was required to have a paved 10 foot shoulder on each side of the road as mitigation for only having one entrance. That requirement is in the existing Docket 250. The revision removes that requirement. Mr. Groth also said that concerns about flooding would be addressed in the future and seemed to assure all that the road was safe.

Well, the future is here.

The revisions to Docket 250 say the road "will be improved by raising the centerline road elevation to an elevation of six and one-half feet. The existing road paving width will be raised and the shoulders on each side of the roadway will be two feet."

What happened to the 10 foot paved shoulders that were the mitigation for only having one entry? They're gone. That space will be used for the slope to the 6 1/2 foot elevation. So it seems

requirement to mitigate for a 6 foot storm surge. It's not one or the other; it's both.

And Swan Point plans to add up to 1500 more units, using an inadequate road as the only access, inconsistent with the subdivision regulations?

Has the Army Corp of Engineers weighed in on this road? If the idea is to build up the road to be above 6 feet of surge, where is that water going to go in a hurricane? Can you ensure that this plan will do no harm to my property?

Please have the Army Corps of Engineers look at this proposed road, and then schedule a second hearing to discuss their findings and incorporate them into Docket 250.

Given the turnout and concerns voiced at Commissioner Bowling's recent town hall, it's clear that Docket 250 needs to be sent back to the Planning Commission and the developer for further clarifications and revisions.

And what happened to the mixed use, the shops and restaurants? Is this just another tract development where the county will have to raise taxes on us to subsidize a developer?

## CRO 8111 - PGM (Springer) Amendment to Indenture - Docket 250, Villages at Swan Point

Julie Losh <LoshJ@charlescountymd.gov>

Fri 6/14/2024 1:11 PM

To:e.hoff77@comcast.net <e.hoff77@comcast.net>

Bcc:Commissioner with Assistants <commissionerwithassistants@charlescountymd.gov>

📎 1 attachments (126 KB)

Docket 250 Swan Point Letter\_of\_Notification.pdf;

Thank you for contacting the office of Commissioner Bowling with your concern about not being able to leave a public comment on the Villages of Swann Point public hearing. Please see the link below; comments will be accepted until 5:00 p.m., June 14, 2024

<https://www.charlescountymd.gov/government/public-comments/public-hearing-comments/docket-250-villages-at-swan-point>

Thank you,



### Julie A. Losh, MPH, CAP

Assisting the Office of Citizen Response

Charles County Government  
200 Baltimore Street | La Plata, MD 20646

E: [LoshJ@CharlesCountyMD.gov](mailto:LoshJ@CharlesCountyMD.gov)

O: (240) 776-6682 | M: (443) 532-7689

[www.CharlesCountyMD.gov](http://www.CharlesCountyMD.gov)

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**From:** Charles County Government <applications@charlescountymd.gov>

**Sent:** Thursday, June 13, 2024 11:09 AM

**To:** Commissioners <Commissioners@charlescountymd.gov>; Commissioner Invites <commissionerinvites@charlescountymd.gov>

**Subject:** \*NEW SUBMISSION\* Contact Commissioner Gilbert "BJ" O. Bowling, III with a Compliment, Concern, or Complaint

**[External Content Warning]** This message is from an external sender. Please exercise caution when opening attachments and hover over any links before clicking.

Contact Commissioner Gilbert "BJ" O. Bowling, III with a Compliment, Concern, or Complaint

Submission #: 3267866

**IP Address:** 73.86.172.183

**Submission Date:** 06/13/2024 11:09

**Survey Time:** 4 minutes, 4 seconds

You have a new online form submission.

Note: all answers displaying "\*\*\*\*\*" are marked as sensitive and must be viewed after your login.

**Read-Only Content**

**Description/Subject**

Cobb Island Town Hall June 6, 2024

**Name**

Erika Hoff

**Click this box if you'd like to remain anonymous. Please note that only the Citizen Response Manager and/or designee will be aware of your contact information to keep you up to date as they work to resolve your concern.**

**Anonymous Contact Name**

\*\*\*\*\*

**Section Break**

**Address/Email/Phone**

**Street/Unit#**

13469n Main Avenue

**City**

Cobb Island

**State**

MD

**Zip Code**

20625

**Email**

e.hoff77@comcast.net

**Daytime Phone**

(301) 751-7246

**Section Break**

**In order to efficiently direct your concern to the appropriate department staff, please select the category below that best matches.**

Other: Website link for Comments on Swan Point

**Location of Issue Reported Above**

n/a

**Please provide a detailed explanation:**

We were handed a paper regarding public hearing on The Villages at Swan Point during the Cob Island town hall on June 6, 2024. The link does not allow us to make comments. I would like to be able to leave a comment regarding The Villages at Swan Point, could you please let me know what website I can use to do so. Thank you.

**Do you have a preferred contact method?**

Please reply by phone

Thank you,  
**Charles County, MD**

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**This is an automated message generated by Granicus. Please do not reply directly to this email.**



## Reed Faasen

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**From:** Reed Faasen  
**Sent:** Tuesday, March 7, 2023 2:28 PM  
**To:** David@jenkinslawfirmllc.com  
**Cc:** Deborah Carpenter; Stephanie Springer; Jason R. Groth; Commissioner with Assistants; Charles R. Rice; Melissa Hively  
**Subject:** CRO #7249 - Swan Point Docket 250 - Status Update Requested - CONCLUSION

Dear Mr. Martinez:

The purpose of this email is in response to your inquiry with the Charles County Commissioners' Office regarding the status of your proposal to amend Swan Point – Docket 250.

After consulting with the Planning Division staff, we have the following to offer: It appears the Planning Commission dates of April 17<sup>th</sup> or May 1<sup>st</sup> are the best potential dates to track for a public hearing with the Planning Commission. This will give the Swan point Development Team time to satisfy the mailing notification requirements per Section 297-448.O of the Zoning Ordinance, which is consistent with the process followed for amendments to Docket 90 for St. Charles.

*See 297-448.O.*

*At least 14 days prior to the Planning Commission public meeting, and again at least 14 days prior to the County Commissioners' public hearing, the applicant shall mail a certified letter of notification to each property owner whose land is within a two-hundred-foot radius of the property line that is the subject of the rezoning request. The applicable notification list shall be provided by the Planning Division to the applicant.*

Please coordinate with Charles Rice at: [RiceC@charlescountymd.gov](mailto:RiceC@charlescountymd.gov) and Melissa Hively: [HivelyM@charlescountymd.gov](mailto:HivelyM@charlescountymd.gov) with any questions and scheduling moving forward.

Best Regards,

Reed Faasen

**PGM Citizen Response Coordinator**



Charles County Government  
[Planning and Growth Management](#)  
301-645-0594  
[Request an Appointment](#)  
[Citizen Self Service Portal \(CSS\)](#)

**HOW DID WE DO?** – Take our [Customer Service Survey](#)



Christina Shupe  
15590 Woodland Point Rd  
Newburg, MD 20664-6309  
Email: christinashupe313@gmail.com  
Cell: 240-688-1458

June 24, 2024

**Subject: County Commissioners Public Session Testimony Concerning Swan Point Docket 250 Amendment #3**

Proposed Swan Point Docket 250 A#3 Changes – 06/24/24

1. My name is Christina Shupe and I reside at 15590 Woodland Point Road Newburg, MD 20664.
2. Thank you for the opportunity to provide testimony today.
3. I come here today as **an interested party** in Docket 250, since the Woodland Point and Potomac View Communities **share the same water aquifer, sewer resources, floodplains, and roads.**
4. I have also provided my testimony for the record.
5. I live on Woodland Point road and **my property is directly on the Neale Sound.**
6. I watch every day there is a heavy rain to see many parts of Woodland Point Road have **standing water all along it.**
7. I watch every time there is a 3.5 - 4.0 foot tide to see standing water alongside Woodland Point Road and Swan Point Road. **Flood surges are 6.0 – 8.0 feet.**
8. The Community Due Diligence has provided numerous experiences, a unanimous petition, proposed Docket 250 changes,

- and testimonies to the PC and BoCC. **It seems these have fallen on deaf ears.**
9. Careful considerations need to be given to changes and there **have been NO SUCH analyses provided** during the evolution of Docket 250 Amendment #3.
  10. The two staff reports to the PC and BoCC have ONLY noted a summary of community comments provided. **No adjudications, rationale, or contrary evidence was ever provided.**
  11. We are **NOT “Active Partners”** in accordance with the state guidance – Maryland Planning Visions.
  12. The Appellate Court of Maryland (Nos. 1753 & 1754) in the September term of 2022 made several clear statements.
    - **Decisions Must Not Be “Arbitrary, Capricious, Or Unreasonable”**
    - **There Needs To Be “Substantial Evidence”, “Separate Findings”, “Analyses”, And “Conclusions” Articulated By The Planning Commission**
  13. In the case of Docket 250 Amendment #3 this is the **Current Situation**.
  14. All the concerns are about the challenges of **“Smart Growth”** and the **potential harm** to our communities if there is NOT smart growth.
  15. Building a City needs **good planning for success**.
  16. Many parts of the planned City location are in a floodplain which requires more complex technical solutions to make it a success and not a detriment. **It may cost more but it is possible.**

17. Smart growth can minimize the current issues and enable the County to move forward without making it worse for the residents. **“Do No Harm”**.
18. I respectfully request that the CHCO Commissioners develop the appropriate changes to Amendment #3 that enables the evaluation of alternative solutions and a supporting budget that does **“No Harm”** to the residents of ALL interested parties.
19. Thank you for your time.

Signed Christina J. Shupe

Dated 6/24/2024

Anders Lundegard  
12395 Potomac View Rd  
Newburg, MD 20664-6309  
Email: info@classicalsaxophonist.com  
Cell: 703-244-3710

June 24, 2024

**Subject: County Commissioners Public Session Testimony Concerning Swan Point Docket 250 Amendment #3**


Proposed Swan Point Docket 250 A#3 Changes – 06/24/24

1. My name is Anders Lundegard and I reside at 12395 Potomac View Road Newburg, MD 20664
2. Thank you for the opportunity to provide testimony today.
3. I come here today as **an interested party** in Docket 250, since the Woodland Point and Potomac View Communities **share the same flood plains, wetlands, and flood risks**.
4. I have also provided my testimony for the record.
5. **Amendment #3 adds tourism** which is more likely during hurricane season.
6. Evacuation and Emergency Service plans will be greatly stressed by the potential addition of **6,000 to 8,000 tourists trying to evacuate safely**.
7. Amendment #2 creates a four lane access to the local communities prior to a storm surge **which was 3-4 feet under water during Isabel in 2003**.



8. Amendment #3 proposes a 2 lane raised road that **would have been 2 feet under water** during Isabel AND **Creates a Dam for Neale Sound**.
9. For community ingress and egress **Engineering says a Bridge is the answer**.
10. FEMA has already started adjusting the premiums we are **paying by 2x-4x with indications this will be going even higher**.
11. **Every foot of flood water increases the damage costs exponentially** and the current FEMA or private insurances **will not cover them adequately**.
12. **FEMA, USACE, and MDE are the decision authorities** when there are changes to flood plain characteristics **such as adding fill dirt** for a raised road.
13. Any flood plain changes **need a study and a higher level of authorization**.
14. Amendment #3 is **moving in the wrong direction** for safety and Emergency Services and the potential burden on the residents is seriously growing.
15. As evidence to this potential harm and burden, I called 911 one beautiful blue sky day because my bedbound housemate, Bob, went into septic shock. The ambulance arrived but without EMT's as they were out on the Potomac on a training drill. The rescue boat charged towards my pier, and despite their heroic efforts, my dear friend passed away the following day. Now **imagine a child drowning in the floodwaters on Woodland Point Road and no route to send help**.
16. There needs to be a risk mitigation approach so that we, as residents, are able to **survive and not lose our homes**.

17. Smart growth can minimize the current issues with flood risks in Charles County and not make them worse such that residents can safely live in their homes. **“Do No Harm”**.
18. I respectfully request that the CHCO Commissioners develop the appropriate changes to Amendment #3 that enables the evaluation of alternative solutions that does **“No Harm”** to the residents of ALL interested parties.
19. Thank you for your time.

Signed 

Dated 6/24/2024

BoCC Public Comment 6/11/2024

Good evening,

I'd like to thank Commissioner Bowling for his recent Town Hall where residents were given the opportunity to express their concerns about the proposed amendments to Docket 250 for the Villages at Swan Point. It is nice to know that we are not just howling into the wind when we raise concerns and provide factual testimony about issues.

However, a town hall is not a forum where the public's factual testimony and concerns can be deliberated. That open deliberation of testimony should begin at the Planning Commission's work session when they determine the findings of fact that inform their decision in an administrative decision, or their recommendation to you in a legislative proceeding.

Public Participation is one of the 12 visions of planning. In Charles County there is the ~~strong~~ perception, held by much of the public, that our testimony is reduced to a numbers game, where the *quantity* of the testimony is more important than the *quality* of the testimony. This perception is reinforced by the fact that, when submitting written testimony online, we are required to state whether we are for, against, or neutral on the issue. The answer to this question has no bearing on the quality, and factual basis of the testimony.

The public has the right to have the factual evidence we submit be openly debated, and to have the decision makers adequately articulate the basis for their decisions.

Too often, a work-session occurs without a discussion of factual testimony submitted. Since the record is closed before the work-session begins, the public is left with no recourse but accept that their testimony was a futile

must be removed from Docket 250. In the PC's letter recommending approval of Docket 250, this testimony was reduced to being a verbal comment opposed to the amendment using the term "view corridor". There was no discussion of this fact during the PC's deliberations.

The issue of View corridors is an easy one to correct in Docket 250. Others like the height and width of Swan Point Blvd demand much further open deliberation and study.

When the PC fails to deliberate on the factual testimony submitted by the public, or adequately articulate the basis for their decision, their recommendation to you is inadequate, at best, and puts a much greater burden on you.

Like the appellate court of Maryland, you should find that the Charles County Planning Commission had failed to **articulate adequately the basis for this recommendation**, and send it back to the PC for further proceeding consistent with the American Planning Association's *Decision Making Principals*.

Submitted by:

Nancy Schertler

↓  
For Docket 250

Nancy Fenton  
12195 Potomac View Rd  
Newburg, MD 20664-6309  
Email: nancyfenton@hotmail.com  
Cell: 850-499-0755

June 24, 2024

**Subject: County Commissioners Public Session Testimony Concerning  
Swan Point Docket 250 Amendment #3**

Proposed Swan Point Docket 250 A#3 Changes – 06/24/24

1. My name is Nancy Fenton and I reside at 12195 Potomac View Road Newburg, MD 20664
2. Thank you for the opportunity to provide testimony today.
3. I come here today as **an interested party** in Docket 250, since the Woodland Point and Potomac View Communities **share the same water aquifer and sewer resources.**
4. I have also provided my testimony for the record.
5. **Amendment #3 adds tourism** to a neighborhood whose foundational characteristic was residential in nature.
6. Swan Point is becoming a small seaside town **4 times the size of Cobb Island.**
7. **Tourism** will raise more revenue but **it will create a larger demand** on water and sewer resources.
8. Cobb Neck along Route 257 currently is **NOT PART** of any Charles County central water plans.



9. The last studies for the aquifer capacity were done in 2007. **That is 16 years ago**. Much has changed in that time including a significant drawdown of the aquifer with plans for new central water sources **ELSEWHERE**.
10. As homeowners **we need to renew permits with the State every three years** based on the criteria that **“this is long enough to create a significant change”** in the conditions that provided the basis of the initial approval.
11. The **developer needs to be held to the same standard**. 16 years of water aquifer depletion and now requesting to be a tourist city.
12. If there is a **failure in the aquifer to support our wells the solution is untenable for residents** as the installation of wells is backlogged and very costly.
13. The provided Docket 250 proposed changes (Paragraph 16) are examples of efforts the developer and the county need to consider.
14. All we are asking is that **Charles County puts in writing that “Makes Us Whole”** if there is an issue.
15. The burden on the residents is very serious. As a caregiver to my late disabled husband, I cannot imagine the hardships we would have faced with lack of water for washing, bathing, drinking. **No one should fear the loss of such a necessary human requirement**.
16. Smart growth can minimize the current issues with the Charles County aquifer and not make them worse such that residents lose access to water. **“Do No Harm”**.
17. I respectfully request that the CHCO Commissioners develop the appropriate changes to Amendment #3 that enables the evaluation

of alternative solutions that does **"No Harm"** to the residents of ALL interested parties.

18. Thank you for your time.

Signed *Nancy Antos*

Dated 06/24/24

Karen Huffman  
12270 Potomac View Rd  
Newburg, MD 20664-6309  
Email: karen@cybersailors.org  
Cell: 301-539-9217

June 24, 2024

**Subject: County Commissioners Public Session Testimony Concerning Swan Point Docket 250 Amendment #3**

Proposed Swan Point Docket 250 A#3 Changes – 06/24/24

1. My name is Karen Huffman and I reside at 12270 Potomac View Road, Newburg, MD 20664
2. Thank you for the opportunity to provide testimony today.
3. I come here today as **an interested party** in Docket 250, since the Woodland Point and Potomac View Communities **share the same water aquifer, sewer resources, floodplains, and roads.**
4. I have also provided my testimony for the record.
5. **Maryland’s Planning Visions** call for **“Sound Growth”** and explicitly says to **“Involve the public as active partners”**.
6. As “Active Partners” we provided a **“Unanimous” Petition that noted major concerns** since there has been 40+ years of evolution and accompanied by significant changes in the environment.
7. As homeowners we are **required to renew permits** with the State and County **given significant changes**. Docket 250 **should be held to the same standards.**

8. Increased stresses on the floodplain warrant consideration as a Study. **Floodplain updates occurred 8 years ago.**
9. In 2003 **Hurricane Isabel's storm surge from Neale Sound destroyed the previous home located on my property**, making it inhabitable. It took the owners **over THREE** years to build a new home since they were required to go through state and county regulations, approval processes, and permitting system. Per Maryland.gov's Department of Assessment and Taxation, new primary structure was built in 2007.
10. Because **my home is in a flood plain** and FEMA has reformed its rating methodology, the cost of my flood insurance policy is **increasing annually by 18%** until my renewal premium reaches the **Full Risk Premium, currently set at \$2,928 but increases every year**. The new rating methodology is commonly referred to as Risk Rating 2.0 (RR 2.0). RR 2.0 indicates that it utilizes equitable rates based on the value of your property and its exposure to flood risks. If my current property was destroyed again, however, would I be compensated for its full value? No, FEMA covers \$250,000 for my house and \$100,000 for its contents after a \$20,000 deductible is met. **Increased flooding will harm this community.**
11. Increased stresses on the water aquifer warrant consideration as a Study. **No new assessments in 16+ years.**
12. We have **never been engaged as "Active Partners"** and worse we have **never been provided any assessments** about our concerns.
13. Both Charles County staff reports **Recommended No Changes** to the Planning Commission and Board of County Commissioners. Why?

14. When something is 40 years in the making the standard should not be that a **“study was done once a while back”** nor that a **“study will be done later”**.
15. Docket 250 is about building a small seaside city and is a **“contract with the county and the surrounding communities”** that needs to be thoughtfully managed, updated, and timely budgeted with all “stakeholders” involved.
16. Docket 250 **needs to be consistent with any Master Plan, clear about the growth**, and have a supported infrastructure budget before moving forward.
17. Smart Growth is about building the required infrastructure **BEFORE, NOT AFTER**, any new development creates harm to the communities.
18. Many in these communities have lived through development efforts that proceed without the proper infrastructure planned and developed until there is harm to the residents.
19. Smart growth can minimize the current issues and enable the County to move forward without making it worse for the residents. **“Do No Harm”**.
20. I respectfully request that the CHCO Commissioners develop the appropriate changes to Amendment #3 that enables the evaluation of alternative solutions and a supporting budget that does **“No Harm”** to the residents of ALL interested parties.
21. Thank you for your time.

Signed:



Date: June 24, 2024



Janis (John/JB) Bilmanis (Community Representative)  
12445 Potomac View Rd  
Newburg, MD 20664-6309  
Email: John@Bilmanis.com  
Cell: 240-463-2804

June 24, 2024

## **Subject: County Commissioners Public Session Testimony Concerning Swan Point Docket 250 Amendment #3**

I want to thank the Commissioners for providing me (as a representative of the Woodland Point and Potomac View Communities) the opportunity to submit a Unanimous Community Petition, and potential line-in/line-out changes concerning the Swan Point Docket 250 Amendment #3. The Community concerns and **are NOT about stopping growth BUT about achieving growth without harm.** Docket 250 and Charles County need to build smartly and **“Make Whole” any losses incurred.** Proper planning, budgeting, and engineering can help achieve that goal.

**“Building a City needs good planning for Success”**

**“Smart Active Partners help implement sound growth”**

Today I would like to request that the Commissioners, **Consider Adding an Appendix or Supporting Document** that clearly and succinctly describes the policies, procedures, authorities, and notifications of interested parties when implementing future phases. A summary of major elements of Docket 250, Amendment #1, #2, and #3 should be added as a reference for added clarity.

### **Potential Amendment #3 Appendix Overview**

1. During the various hearings and meetings to date, there has been an underlying theme of confusion as to the policies, procedures, authorities, and notifications governing the phasing efforts of this development.
  - Villages at Swan Point is a large development effort **Equivalent to a Small City.**
  - Docket 250 with Amendments 1 & 2 provide for some basic agreements that are locked in like the maximum number of homes.

- Access to a **repository of previous studies** needs to be clearly documented and provided to all “interested parties”.
  - Amendment 3 essentially adds a **“tourism element”** and increases the requirements on common resources and with peak periods but it relies on aquifer studies before 2007 and floodplain information from 2015. **The world has changed in 40 years.**
  - Access to a **repository of Amendment #3 studies** needs to be clearly documented and provided to all “interested parties”.
  - Planning needs to address the common resources and peak periods like;
    - a. Evacuations with safe ingress/egress impacts
    - b. Flood and stormwater management impacts
    - c. Water and Sewer resources short term and long term
    - d. Critical area, Environmental, and Habitat impacts
    - e. Schooling impacts for teachers and students
    - f. EMS/EMT/VFD impacts for timeliness and availability
    - g. Daily traffic impacts
    - h. Police Services availability
2. **Interested Parties** are any Communities or residents that share common road ways for ingress/egress, common floodplains, common aquifer resources, common sewer resources, and all common essential services.
- This is the same foundation for environmental impacts on common resources like the Potomac River water shed and surrounding creeks.
  - This change is proposed to be **added in Docket 250 Paragraph 3F as a Definition** since the current definition is properties within 200 feet of the proposed development.
3. Phasing requests have approval cycles and are generally delineated in Paragraphs 20-26 of Docket 250 and guided by Charles County ordinances:
- Adequate Public Facilities (APF) Ordinance
  - Critical Area Law
  - Forest Conservation Ordinance
  - Water and Sewer Ordinance
  - Zoning Ordinance
  - Subdivision Regulations

Residents **don't know the County Codes & Ordinances well enough** to understand the elements in Phasing Requests or Earlier Studies

Educate the Residents **with full transparency and clarity** for ALL PHASES

4. Clarity is desired in an Appendix or Supporting Document that states;
  - How ALL Interested Parties (per the proposed Docket 250 Paragraph 3 F) are properly notified of a new phase, and notified of the study results
  - How ALL Interested Parties can engage the County with transparency as to technical rationale, critical evidence used, and the resulting analyses
  - How ALL issues noted in Paragraph 1 above are properly assessed with the conditions at the time of a phasing plan definition
  - Who are ALL the pertinent decision authorities (Federal, State, County)
  - Where and when will there be any budget shortfalls addressed

It is hard to have a technical discussion or attain understanding via **3 minute testimonies and NO Questions**

Notes:

- Approval cycles and ordinances can be links/citations. If a particular ordinance does not address any of the issues listed above it **should be noted clearly why it is not being addressed** during the phasing request.
  - Many issues have been attributed to the APF Ordinance but it is **unclear what exact studies are conducted** for flood plains, evacuations, aquifer depletion and what data was used to make the assessment.
  - Like for most permits the development of a city **needs to use pertinent recent data and timely studies**, especially where there are significant changes in the surrounding conditions.
5. **“Do No Harm”** is the foundational guideline for moving forward with development. Smart growth is about “balanced” development that supports the Critical Environment, Habitats, as well as the “interested parties” that share resources. **“A Holistic Plan.”**
    - Studies and assessments inform a smart growth plan
    - Appropriate timing and adequacy of budgets makes a plan real
    - In the face of uncertainty a fallback plan needs development for **“Do No Harm”**

Docket 250 and Charles County need to **“Make Whole”** for any losses by residents

6. We respectfully request that the CHCO Commissioners request the development of an Appendix or Supporting document that enables a **“unified understanding”** of all the elements being assessed and approved for each phasing plan request. As longtime residents, we are asking for a **“Due No Harm”** approach without restricting Smart Growth.
7. Thank you for your time. We look forward to future detailed planning efforts.

Signed *Janis Belmanis*

Dated 06/24/24

6-11-19  
Public

Howard Dent My wife and I own a home on Banks O'Dee Road in Newburg, MD

I tried to testify remotely at the Swan Point hearing in May, and although I could hear Ms. DeSoto telling me to turn on my mic, none of the buttons worked. I'll give that testimony tonight.

I want to take you back to the Planning Commission Meeting for the APF for Swan Point Road on November 18, 2019. I testified at that meeting that I thought Swan Point Road was inadequate, because in a category 2 storm, the surge would be six feet and the road would be under water. I also questioned why there was only one way in and out, which is inconsistent with subdivision regulations. There was quite a discussion among the Planning Commissioners about the safety and adequacy of Swan Point Road. I encourage everyone to watch that meeting.

Then Planning Director Jason Groth stated that this was "special case" and that Swan Point Road was required to have a paved 10 foot shoulder on each side of the road as mitigation for only having one entrance. That requirement is in the existing Docket 250. The revision removes that requirement. Mr. Groth also said that concerns about flooding would be addressed in the future and seemed to assure all that the road was safe.

Well, the future is here.

The revisions to Docket 250 say the road "will be improved by raising the centerline road elevation to an elevation of six and one-half feet. The existing road paving width will be raised and the shoulders on each side of the roadway will be two feet."

What happened to the 10 foot paved shoulders that were the mitigation for only having one entry? They're gone. That space will be used for the slope to the 6 1/2 foot elevation. So it seems

requirement to mitigate for a 6 foot storm surge. It's not one or the other; it's both.

And Swan Point plans to add up to 1500 more units, using an inadequate road as the only access, inconsistent with the subdivision regulations?

Has the Army Corp of Engineers weighed in on this road? If the idea is to build up the road to be above 6 feet of surge, where is that water going to go in a hurricane? Can you ensure that this plan will do no harm to my property?

Please have the Army Corps of Engineers look at this proposed road, and then schedule a second hearing to discuss their findings and incorporate them into Docket 250.

Given the turnout and concerns voiced at Commissioner Bowling's recent town hall, it's clear that Docket 250 needs to be sent back to the Planning Commission and the developer for further clarifications and revisions.

And what happened to the mixed use, the shops and restaurants? Is this just another tract development where the county will have to raise taxes on us to subsidize a developer?

## CRO 8111 - PGM (Springer) Amendment to Indenture - Docket 250, Villages at Swan Point

Julie Losh <LoshJ@charlescountymd.gov>

Fri 6/14/2024 1:11 PM

To:e.hoff77@comcast.net <e.hoff77@comcast.net>

Bcc:Commissioner with Assistants <commissionerwithassistants@charlescountymd.gov>

📎 1 attachments (126 KB)

Docket 250 Swan Point Letter\_of\_Notification.pdf;

Thank you for contacting the office of Commissioner Bowling with your concern about not being able to leave a public comment on the Villages of Swann Point public hearing. Please see the link below; comments will be accepted until 5:00 p.m., June 14, 2024

<https://www.charlescountymd.gov/government/public-comments/public-hearing-comments/docket-250-villages-at-swan-point>

Thank you,



### Julie A. Losh, MPH, CAP

Assisting the Office of Citizen Response

Charles County Government  
200 Baltimore Street | La Plata, MD 20646

E: [LoshJ@CharlesCountyMD.gov](mailto:LoshJ@CharlesCountyMD.gov)

O: (240) 776-6682 | M: (443) 532-7689

[www.CharlesCountyMD.gov](http://www.CharlesCountyMD.gov)

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**From:** Charles County Government <applications@charlescountymd.gov>

**Sent:** Thursday, June 13, 2024 11:09 AM

**To:** Commissioners <Commissioners@charlescountymd.gov>; Commissioner Invites <commissionerinvites@charlescountymd.gov>

**Subject:** \*NEW SUBMISSION\* Contact Commissioner Gilbert "BJ" O. Bowling, III with a Compliment, Concern, or Complaint

**[External Content Warning]** This message is from an external sender. Please exercise caution when opening attachments and hover over any links before clicking.

Contact Commissioner Gilbert "BJ" O. Bowling, III with a Compliment, Concern, or Complaint

Submission #: 3267866



**IP Address:** 73.86.172.183

**Submission Date:** 06/13/2024 11:09

**Survey Time:** 4 minutes, 4 seconds

You have a new online form submission.

Note: all answers displaying "\*\*\*\*\*" are marked as sensitive and must be viewed after your login.

**Read-Only Content**

**Description/Subject**

Cobb Island Town Hall June 6, 2024

**Name**

Erika Hoff

**Click this box if you'd like to remain anonymous. Please note that only the Citizen Response Manager and/or designee will be aware of your contact information to keep you up to date as they work to resolve your concern.**

**Anonymous Contact Name**

\*\*\*\*\*

**Section Break**

**Address/Email/Phone**

**Street/Unit#**

13469n Main Avenue

**City**

Cobb Island

**State**

MD

**Zip Code**

20625

**Email**

e.hoff77@comcast.net

**Daytime Phone**

(301) 751-7246

**Section Break**

**In order to efficiently direct your concern to the appropriate department staff, please select the category below that best matches.**

Other: Website link for Comments on Swan Point

**Location of Issue Reported Above**

n/a

**Please provide a detailed explanation:**

We were handed a paper regarding public hearing on The Villages at Swan Point during the Cob Island town hall on June 6, 2024. The link does not allow us to make comments. I would like to be able to leave a comment regarding The Villages at Swan Point, could you please let me know what website I can use to do so. Thank you.

**Do you have a preferred contact method?**

Please reply by phone

Thank you,  
**Charles County, MD**

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**This is an automated message generated by Granicus. Please do not reply directly to this email.**

## Reed Faasen

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**From:** Reed Faasen  
**Sent:** Tuesday, March 7, 2023 2:28 PM  
**To:** David@jenkinslawfirmllc.com  
**Cc:** Deborah Carpenter; Stephanie Springer; Jason R. Groth; Commissioner with Assistants; Charles R. Rice; Melissa Hively  
**Subject:** CRO #7249 - Swan Point Docket 250 - Status Update Requested - CONCLUSION

Dear Mr. Martinez:

The purpose of this email is in response to your inquiry with the Charles County Commissioners' Office regarding the status of your proposal to amend Swan Point – Docket 250.

After consulting with the Planning Division staff, we have the following to offer: It appears the Planning Commission dates of April 17<sup>th</sup> or May 1<sup>st</sup> are the best potential dates to track for a public hearing with the Planning Commission. This will give the Swan point Development Team time to satisfy the mailing notification requirements per Section 297-448.O of the Zoning Ordinance, which is consistent with the process followed for amendments to Docket 90 for St. Charles.

*See 297-448.O.*

*At least 14 days prior to the Planning Commission public meeting, and again at least 14 days prior to the County Commissioners' public hearing, the applicant shall mail a certified letter of notification to each property owner whose land is within a two-hundred-foot radius of the property line that is the subject of the rezoning request. The applicable notification list shall be provided by the Planning Division to the applicant.*

Please coordinate with Charles Rice at: [RiceC@charlescountymd.gov](mailto:RiceC@charlescountymd.gov) and Melissa Hively: [HivelyM@charlescountymd.gov](mailto:HivelyM@charlescountymd.gov) with any questions and scheduling moving forward.

Best Regards,

Reed Faasen

**PGM Citizen Response Coordinator**



Charles County Government  
[Planning and Growth Management](#)  
301-645-0594  
[Request an Appointment](#)  
[Citizen Self Service Portal \(CSS\)](#)

**HOW DID WE DO?** – Take our [Customer Service Survey](#)



Christina Shupe  
15590 Woodland Point Rd  
Newburg, MD 20664-6309  
Email: christinashupe313@gmail.com  
Cell: 240-688-1458

June 24, 2024

**Subject: County Commissioners Public Session Testimony Concerning Swan Point Docket 250 Amendment #3**

Proposed Swan Point Docket 250 A#3 Changes – 06/24/24

1. My name is Christina Shupe and I reside at 15590 Woodland Point Road Newburg, MD 20664.
2. Thank you for the opportunity to provide testimony today.
3. I come here today as **an interested party** in Docket 250, since the Woodland Point and Potomac View Communities **share the same water aquifer, sewer resources, floodplains, and roads.**
4. I have also provided my testimony for the record.
5. I live on Woodland Point road and **my property is directly on the Neale Sound.**
6. I watch every day there is a heavy rain to see many parts of Woodland Point Road have **standing water all along it.**
7. I watch every time there is a 3.5 - 4.0 foot tide to see standing water alongside Woodland Point Road and Swan Point Road. **Flood surges are 6.0 – 8.0 feet.**
8. The Community Due Diligence has provided numerous experiences, a unanimous petition, proposed Docket 250 changes,

- and testimonies to the PC and BoCC. **It seems these have fallen on deaf ears.**
9. Careful considerations need to be given to changes and there **have been NO SUCH analyses provided** during the evolution of Docket 250 Amendment #3.
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  11. We are **NOT “Active Partners”** in accordance with the state guidance – Maryland Planning Visions.
  12. The Appellate Court of Maryland (Nos. 1753 & 1754) in the September term of 2022 made several clear statements.
    - **Decisions Must Not Be “Arbitrary, Capricious, Or Unreasonable”**
    - **There Needs To Be “Substantial Evidence”, “Separate Findings”, “Analyses”, And “Conclusions” Articulated By The Planning Commission**
  13. In the case of Docket 250 Amendment #3 this is the **Current Situation**.
  14. All the concerns are about the challenges of **“Smart Growth”** and the **potential harm** to our communities if there is NOT smart growth.
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  16. Many parts of the planned City location are in a floodplain which requires more complex technical solutions to make it a success and not a detriment. **It may cost more but it is possible.**

17. Smart growth can minimize the current issues and enable the County to move forward without making it worse for the residents. **“Do No Harm”**.
18. I respectfully request that the CHCO Commissioners develop the appropriate changes to Amendment #3 that enables the evaluation of alternative solutions and a supporting budget that does **“No Harm”** to the residents of ALL interested parties.
19. Thank you for your time.

Signed Christina J. Shupe

Dated 6/24/2024

Anders Lundegard  
12395 Potomac View Rd  
Newburg, MD 20664-6309  
Email: info@classicalsaxophonist.com  
Cell: 703-244-3710

June 24, 2024

**Subject: County Commissioners Public Session Testimony Concerning Swan Point Docket 250 Amendment #3**


Proposed Swan Point Docket 250 A#3 Changes – 06/24/24

1. My name is Anders Lundegard and I reside at 12395 Potomac View Road Newburg, MD 20664
2. Thank you for the opportunity to provide testimony today.
3. I come here today as **an interested party** in Docket 250, since the Woodland Point and Potomac View Communities **share the same flood plains, wetlands, and flood risks.**
4. I have also provided my testimony for the record.
5. **Amendment #3 adds tourism** which is more likely during hurricane season.
6. Evacuation and Emergency Service plans will be greatly stressed by the potential addition of **6,000 to 8,000 tourists trying to evacuate safely.**
7. Amendment #2 creates a four lane access to the local communities prior to a storm surge **which was 3-4 feet under water during Isabel in 2003.**



8. Amendment #3 proposes a 2 lane raised road that **would have been 2 feet under water** during Isabel AND **Creates a Dam for Neale Sound**.
9. For community ingress and egress **Engineering says a Bridge is the answer**.
10. FEMA has already started adjusting the premiums we are **paying by 2x-4x with indications this will be going even higher**.
11. **Every foot of flood water increases the damage costs exponentially** and the current FEMA or private insurances **will not cover them adequately**.
12. **FEMA, USACE, and MDE are the decision authorities** when there are changes to flood plain characteristics **such as adding fill dirt** for a raised road.
13. Any flood plain changes **need a study and a higher level of authorization**.
14. Amendment #3 is **moving in the wrong direction** for safety and Emergency Services and the potential burden on the residents is seriously growing.
15. As evidence to this potential harm and burden, I called 911 one beautiful blue sky day because my bedbound housemate, Bob, went into septic shock. The ambulance arrived but without EMT's as they were out on the Potomac on a training drill. The rescue boat charged towards my pier, and despite their heroic efforts, my dear friend passed away the following day. Now **imagine a child drowning in the floodwaters on Woodland Point Road and no route to send help**.
16. There needs to be a risk mitigation approach so that we, as residents, are able to **survive and not lose our homes**.

17. Smart growth can minimize the current issues with flood risks in Charles County and not make them worse such that residents can safely live in their homes. **“Do No Harm”**.
18. I respectfully request that the CHCO Commissioners develop the appropriate changes to Amendment #3 that enables the evaluation of alternative solutions that does **“No Harm”** to the residents of ALL interested parties.
19. Thank you for your time.

Signed 

Dated 6/24/2024