

10/22/2024

To: Charles County Commissioners

From: Nancy Schertler
14725 Banks O'Dee Rd
Newburg MD
Re: ZTA #23-176 and ZMA #23-02

Thank you for this opportunity to submit additional testimony for the Public Hearing scheduled for Tuesday October 29, 2024. This testimony was submitted to the Planning Commission in response to discussions held by the Planning Commission last August, and I am re submitting now to the BoCC today for consideration during your consideration of the zoning amendments concerning the area around the airport.

After their public hearing, there was some discussion among PC members about the newly proposed boundaries for the WCD, and if the boundary should expand to include some additional steep slopes. Planning Director Charles Rice assured the PC that just because a property was zoned IH or ABP, that did not mean all of that land would be viable options for development, and that there are other existing restrictions to development in this area including the RPZ and existing Forest Conservation Easements.

A concern is that these provisions, RPZ and FCE, do not always appear successful in restricting development, and raises the question: Does the County have enough staff to effectively enforce those restrictions?

Example 1: "The Great Wall of Pomonkey". Google earth images show that the construction of the airport runway expansion began in 2010. The RPZ was a part of the County Code from at least 1998. It is probable that the airport received a variance to fill the stream valley, and channel the stream through a culvert below the runway. However, the fact is the land here in the RPZ did not remain undisturbed in its natural stage, and the outer edge of the RPZ did not constitute the limit of clearing and grading as required by § 297-170 of the Z.O. [Resource Protection Zone delineation.](#)

Example 2: One of the properties in the vicinity of the airport that is subject to this ZTA-ZMA has a perpetual Forest Conservation Easement over 9 acres of the property. Google Earth shows that that 9-acre FCE was clear cut in 2023.

A pdf showing images and maps of these two examples is included with this submission.

Thank you for taking the time to review these submissions.