

The Capital

South County

Marina owner wants Critical Area restrictions eased

By E.B. FURGURSON III, Staff Writer

The Maryland Critical Area Commission is weighing whether to ease development restrictions at Herrington Harbour North, the largest marina in the county.

Owner Steuart Chaney said there are no immediate plans for major changes on the 61-acre property, and that he requested the new classification to correct a 20-year-old mapping error.

"We are going to continue to do what we are doing," Mr. Chaney said. "I don't see anything being done differently at this point."

The proposal will be the subject of a hearing before the state Critical Areas Commission on Wednesday in Deale.

Mr. Chaney argues the change should be allowed because of a mapping mistake made when the property's original Critical Area designations were outlined in 1985. The two main areas of the marina, originally two separate businesses, had intensive marina activity, evidenced by aerial photos showing boat storage across much of the property.

Mr. Chaney argues they should have been defined as such, but instead were given the Resource Conservation Area designation, the most tightly restricted zone under the Critical Area Law. The law restricts development within 1,000 feet of the Chesapeake Bay and its tidal tributaries.

Part of the land has been used to hold dredge spoil. Reports prepared by engineers hired by Mr. Chaney pointed out it was the only such area in the county not designated Intensely Developed Area, the least restrictive Critical Area zone.

Mr. Chaney said the discrepancy was found as long-range plans for the marina business were being looked at last year.

"We were looking to the future and, though we essentially had not been affected by it, we wanted the designation to be proper," he said.

The property is now used for dry boat storage, dredge storage, several ancillary maritime businesses, and 17 piers with 600 slips.

County Administrative Hearing Officer Stephen LeGendre supported the change in November, and internal documents suggest the commission will likely do likewise.

"Both areas were over 20 acres," Mr. Chaney said, noting the rule of thumb used to denote IDA areas. "Plus they had none of the characteristics of the other (more protective) designations to support anything other than IDA."

Under current rules, Resource Conservation Areas and the less restrictive Limited Development Area designations serve as an overlay, limiting what could otherwise be done under county zoning regulations.

If the property is changed to IDA, the Critical Area overlay is effectively removed, allowing whatever development zoning rules permit.

Don Avery of Deale, who keeps an eye on development issues in south county, wonders what the change is for.

"It has been that way for years. Why change it now?" he said.

The property is zoned for both general and heavy marina activity which allow a variety of things, including heliports, hotels and motels, not allowed under the more restrictive critical area rules.

The IDA designation would allow hotels, but Mr. Chaney said no lodging is planned at the Tracys Landing site - especially since Herrington Harbour South Marina in Rose Haven already has 30 rooms and four apartments.

"Redoing the motel at South is a priority over doing anything at North," Mr. Chaney said.

The meeting will begin at 7 p.m. at Deale Elementary School.

Published February 02, 2006, The Capital, Annapolis, Md.

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