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TOP STORIES

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County Settles Lawsuit with Herrington Harbour

County officials yesterday settled a year-old lawsuit with Herrington Harbour Marina South.

In March of last year, the county charged Herrington Harbour and its president, Steuart Chaney, with a variety of code violations on bulkheads, piers, sheds, septic, wells and a building used to house workers.

The settlement reached yesterday notes all the violations are now fixed and that a hefty \$20,000 fine was paid.

County executive John R. Leopold announced the settlement.

"It accomplished two things," he said. "It ensures compliance with the law and an imposition of penalty. And it is fully consistent with my policy of zero tolerance of code violations."

The case was announced shortly after Mr. Leopold took office and was perceived as setting the bar for his strict adherence policy.

It asked that numerous structures be removed or brought into compliance and fines be paid.

But Mr. Chaney said the settlement proves there were no serious violations of environmental laws.

"These were technical violations," Mr. Chaney said last night. "We didn't have to tear anything down and we didn't move anything. Do you think if they were so egregious we would have been able to get permits for them?"

He noted the facility has been recognized for environmental stewardship over the years.

"For 30 years we have been leaders in maritime environmental initiatives," he said. "We have led by example. We are very supportive of environmental rules and regulations. We believe in the permit process."

When the case was filed a year ago, Mr. Leopold was kicking off an aggressive effort to

check illegal building.

"Everyone in the county will play by the same rules," Mr. Leopold said at the time.

Mr. Chaney thinks the marina was used as an example.

"We were held to a higher standard," he said,

The case against Mr. Chaney began building when the Army Corps of Engineers questioned county officials about a rooming house on the property. Inspectors later flew over the harbor at the southeast corner of the county and snapped photographs, which they compared with aerial shots taken in 2002.

"We were very careful to enumerate the various violations we found on the property," County Attorney Jonathan Hodgson said.

"This suit was brought because we found code violations. That's all this suit is about. It is not to suggest Herrington Harbour is not a wonderful facility ... enjoyed by many people and deservedly so."

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