

The Capital

Top Stories

County sues huge marina owner

Herrington Harbour accused of violating permit laws

By ERIN COX Staff Writer

The county filed a lawsuit yesterday against a prominent businessman, alleging that he violated a half-dozen building and environmental rules by constructing buildings and piers without permits at one of his two marinas.

The civil lawsuit filed in county Circuit Court targets the county's largest marina, Herrington Harbour Inc., and seeks to raze buildings and restore the shoreline in Rose Haven, which was altered sometime over the past five years by its owner, E. Stuart Chaney.

It alleges that Mr. Chaney built a party house and bath house, plus a bulkhead, walkways and a pier into the Chesapeake Bay at Herrington Harbour South without proper permits.

It also accuses him of unlawfully constructing a rooming house with a well and septic system that had never been approved by the county Health Department.

Mr. Chaney, a prominent south county businessman who writes generous checks during the election season, could face thousands of dollars in civil fines and be forced to tear down buildings at Herrington Harbour South.

He didn't return several phone calls yesterday seeking comment. His wife Dottie said this morning that her husband is out of town and the couple hadn't seen a copy of the lawsuit.

County officials said Mr. Chaney protested, and submitted paperwork arguing that he was within the law when he made changes to his marina, which is advertised as "the most environmentally safe."

"Mr. Chaney's taking of the moniker, it seemed to me, was hypocritical," said Drew Koslow, South Riverkeeper and a former U.S. Fish and Wildlife inspector who worked near Herrington Harbor South. "The very same time he does that, he's doing whatever he wants to do. And that's detestable."

The lawsuit against Mr. Chaney comes as part of an aggressive effort by County Executive John R. Leopold to police illegal building.

"Everyone in the county will play by the same rules," Mr. Leopold said this morning. "There will be no sacred cows at the trough. While developers and builders have an important voice, they will not be allowed to drive public policy in this county."

In January, Mr. Leopold asked the state to extend the statute of limitations to prosecute

violations in the Critical Area along the Chesapeake's shoreline. He also had a bill introduced to the County Council that would impose a \$500-a-day fine on anyone who built a home without proper permits.

Although the first inspection at Herrington Harbour South occurred a week after Mr. Leopold took office in December, the county had known of the violation for three months.

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

In addition to the piers, bulkhead and rooming house, the property had new sheds, office buildings and outbuildings.

Mr. Chaney, trained as an engineer, bought Harrington Harbour South in 1978. He built homes and commercial developments in the area. He has raised and given money to political campaigns on both sides of the aisle, though mostly Democrats.

Betty Dixon, director of the county Department of Inspections and Permits, said the scope of the violations was "egregious" and complicated.

"Mr. Chaney has made an outstanding environmental contribution, and we salute him for that," Ms. Dixon said. "The message that we want to get out is that the law must be followed."

Staff writer E.B. Furgurson III contributed to this story.

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