



William B. Hunt, AICP, Director
Harry Knight, Deputy Director

To: Commissioners of St. Mary's County
Dr. Rebecca Bridgett, County Administrator
From: William B. Hunt, Land Use and Growth Management *WBH*
Date: January 5, 2021

Request for Public Hearing Staff Proposal

Topic: Amendments to the St. Mary's County Comprehensive Plan and the Comprehensive Water and Sewerage Plan, and Resolution for connection to the expanded St. Clements Shores Wastewater Treatment Plant

Background: The primary purpose for the construction of the St. Clements Shores Wastewater Treatment Plant (SCS WWTP), which began operating in 1982, was to relieve health hazard conditions due to failing onsite sewage disposal systems (OSDS) in the Saint Clement Shores Subdivision. Even with additional treatment capacity at the plant in 2000, not all properties in the Saint Clements Shores Subdivision have been connected to the SCS WWTP. In addition, there are 140 houses in the vicinity of the SCS WWTP that utilize onsite sewage disposal systems that, when they fail, will not be able to be replaced due to high water table, poor soils, and small lots. The OSDSs are a potential environmental and public health risk. There are 158 platted, vacant lots in the sewer service area in the area near the SCS WWTP. These properties cannot develop until there is capacity at the SCS WWTP because of high water table and poor soils.

Summary of Proposed Request: The area around the St. Clement Shores Wastewater Treatment Plant is not a growth area. Because of this a Priority Funding Area (PFA) exception area approved by the State is needed so that the 140 houses on OSDSs can be eligible for Bay Restoration Fund Grants that are administered by the Health Department. A PFA exception area must be consistent with the Comprehensive Plan and the Comprehensive Water and Sewerage Plan. The Comprehensive Plan is being amended to demonstrate that the PFA exception area is consistent with the Comprehensive Plan. The Comprehensive Water and Sewerage Plan is being amended to address the PFA exception area, and to be consistent with the Comprehensive Plan. The third document is a Resolution with the rules and limitations for connection to the expanded SCS WWTP. This new Resolution will rescind and replace Resolution 84-22 which was the former resolution with the rules for connection. The proposed amendments to the Comprehensive Plan and Comprehensive Water and Sewerage Plan must be approved by the Commissioners of St. Mary's County and then by the Maryland Department of Planning and Maryland Department of the Environment. The Commissioners have options to approve the three documents as recommended by the Planning Commission, make amendments, or deny.

A PFA exception area for the 140 houses has been approved by the Smart Growth Coordinating Committee. Property owners will be eligible for Bay Restoration Fund (BRF) grants when they choose to connect to the expanded SCS WWTP. MetCom currently has an operating permit for the SCS WWTP that gives it the potential to treat 200,000 gallons of sewage per day. MetCom is exploring the maximum number of EDUs the plant can be expanded to on the property MetCom owns. The estimate is that the number of EDUs will be 320. This will allow the 158 vacant properties that are in the SCS WWTP sewage service area to develop and connect, in addition to the 140 houses in the PFA exception area. One EDU has been reserved for each property with a house that is on an OSDS (140 reserved EDUs) and one EDU has been reserved for each of the 158 vacant, platted lots (158 EDUs). Property owners are not required to connect after the SCS WWTP expansion has been completed.

Stakeholders and Notification: The Department of Information Technology produced GIS maps of the SCS WWTP sewer service area, including the PFA exception area. The SDAT records for all the properties were downloaded into a database that included owners' names and addresses. Staff used this database to send out 900 letters to property owners, and owners of property within 200 feet of the proposed sewer service area, prior to the October 26, 2020, Planning Commission Public Hearing. These letters contained directions for accessing the three documents that were posted on the department's website. The letters also contained contact information for staff, email and phone number. Legal notices for the October 26, 2020, Planning Commission Public Hearing were published in *The Enterprise*. The public hearing was televised on Channel 95. The October 26 meeting was continued to the November 9, 2020, meeting of the Planning Commission. This continuation was announced at the October 26 meeting. Residents have called the department after the October 26 public hearing. When they call, the residents are given information about the continued Planning Commission Public Hearing and the Public Hearing with the CSMC. The two plan amendments and Resolution were re-posted on the department webpage through BoardDocs for the November 9 Planning Commission continued hearing. This Request for Public Hearing is televised and the documents to be discussed at the CSMC public hearing have been posted to BoardDocs. Legal ads for the public hearing with the CSMC will be posted in *The Enterprise* and the documents will again be available on BoardDocs.

Attachments:

Letter from the Smart Growth Coordinating Committee approving a PFA exception area for the 140 houses on OSDSs
Proposed amendment to the Comprehensive Plan
Proposed amendment to the Comprehensive Water and Sewerage Plan
Resolution for connection to the expanded SCS WWTP. Exhibit B included with the Resolution is the inventory of all properties within the sewer service area based on SDAT records.
Memorandum from Dewberry Engineers, Inc., Tom DallaPalu, PE, to George Erichsen and Christy Hollander describing the St. Clements Shores WWTP Phase B Upgrade Evaluation (2151SF), dated October 6, 2020
PowerPoint presentation

Timeline:

November 17, 2020 – Request for public hearing is presented to the CSMC for a public hearing on December 8
November 20, 2020 – First legal ad is published in *The Enterprise*
November 27, 2020 – Second legal ad is published in *The Enterprise*

December 8, 2020 – Public Hearings with CSMS
December 15, 2020 – Public comment period closes
January 5, 2021 – Decision

Collaboration:

Heather Moritz, Director, Environmental Health, St. Mary's County Health Department
George Erichsen, Executive Director, MetCom
Christy Hollander, Chief Engineer, MetCom
Eric Benson, Department of Information Technology
David Weiskopf, County Attorney
Neil Murphy, Deputy County Attorney
Maryland Department of Planning
Maryland Department of the Environment
Smart Growth Coordinating Committee

Prior Action: The St. Mary's County Planning Commission held a public hearing on the three documents at the Leonardtown High School Auditorium on October 26, 2020. Approximately 20 residents attended the October 26 hearing. The public hearing was continued to the November 9, 2020, Planning Commission meeting held in the Chesapeake Building. The continuation was needed for staff to address comments on the Comprehensive Plan and Comprehensive Water and Sewerage Plan that had been returned by MDP and MDE after the documents had been posted for public review. The Planning Commission voted to recommend the three documents to the Commissioners of St. Mary's County at the continued public hearing of November 9.

Recommendation: Authorize staff to schedule a public hearing on December 8, 2020, for public comments on the proposed amendments to the Comprehensive Plan and the Comprehensive Water and Sewerage Plan and the Resolution.