

**COUNTY COUNCIL**

**OF**

**DORCHESTER COUNTY, MARYLAND**

BILL NO. 2023-2

AN ACT OF THE COUNTY COUNCIL OF DORCHESTER COUNTY TO AMEND THE OFFICIAL CRITICAL AREA MAP OF DORCHESTER COUNTY TO CHANGE THE CRITICAL AREA DESIGNATION OF A PORTION OF A 4.45 ACRE PARCEL OF LAND OWNED BY SUICIDE BRIDGE RESTAURANT, INC. LOCATED AT 6304 SUICIDE BRIDGE ROAD, HURLOCK, MARYLAND AND SHOWN ON TAX MAP 12 AS PARCEL 24 FROM LIMITED DEVELOPMENT AREA ("LDA") TO INTENSELY DEVELOPED AREA ("IDA") PURSUANT TO § 68-12 OF THE DORCHESTER COUNTY CODE.

WHEREAS, pursuant to Md. Code Ann., Natural Resources § 8-1809 and Code of Maryland Regulations ("COMAR") Title 27, Subtitle 1, the County Council of Dorchester County (the "County Council") is authorized to enact a Critical Area Program for Dorchester County (the "County") and to designate land within the Chesapeake Bay Critical Area (the "Critical Area") located within the County as either Resource Conservation Area ("RCA"), LDA, or IDA; and

WHEREAS, pursuant to the foregoing authority, the County Council has adopted a Critical Area program (the "Program") for the County codified as Chapter 68 of the Dorchester County Code (the "County Code") and an Official Critical Area Map (the "Map") designating all land in the County within the Critical Area as RCA, LDA, or IDA; and

WHEREAS, pursuant to § 68-12(B) of the County Code, the County's original growth allocation acreage was 2,900 acres and the remaining growth allocation is 1,486 acres; and

WHEREAS, Section 68-12 of the County Code provides the requirements pursuant to which the County Council may use its remaining growth allocation acreage, including the standards for establishing new LDAs and IDAs; and

WHEREAS, Suicide Bridge Restaurant, Inc. (the "Owner") is the fee simple owner of certain real property located at 6304 Suicide Bridge Road, Hurlock, Maryland and shown on Tax Map 12 as Parcel 24 (the "Property"); and

WHEREAS, the Property is designated as LDA on the Map; and

WHEREAS, 0.35 acres of the Property is mapped as tidal wetlands, wherein development activity is prohibited; and

WHEREAS, the Property, which has been the site of the Suicide Bridge Restaurant for decades, exceeds the lot coverage limitations applicable to the LDA; however, such use and the resultant excess lot coverage predate the lot coverage limitations established as part of the adoption of the County's Program; and

WHEREAS, the Owner has requested that 4.1 acres of the Property be reclassified from LDA to IDA using 4.1 acres of the County's allotted growth allocation; and

WHEREAS, on September 7, 2022, the Dorchester County Planning Commission held a duly advertised public hearing on the Owner's request to reclassify a portion of the Property from LDA to IDA, after which it unanimously recommended that the County Council approve the request; and

WHEREAS, the County Council held a public hearing on the Owner's request to reclassify a portion of the Property from LDA to IDA on April 4, 2023 and received testimony and evidence regarding the same; and

WHEREAS, the County Council has determined that the Owner has met the requirements set forth in § 68-12 of the County Code to permit reclassification of 4.1 acres of the Property from LDA to IDA using 4.1 acres of the County's allotted growth allocation; and

WHEREAS, the County Council has made certain findings of fact that are set forth in Exhibit A which is attached hereto and incorporated herein by reference.

NOW THEREFORE, the County Council of Dorchester County, Maryland hereby ordains as follows:

**SECTION 1:** The above recitals are not merely prefatory but are a substantive part of this Bill.

**SECTION 2:** The Official Dorchester County Critical Area Map is hereby modified as follows:

The Critical Area designation of a 4.1 acre portion of the property located at 6304 Suicide Bridge Road, Hurlock, Maryland and shown on Tax Map 12 as Parcel 24 and more fully shown on Exhibit B, attached hereto and incorporated herein by reference, is changed from Limited Development Area to Intensely Developed Area.

**SECTION 3:** The Official Critical Area Zoning Map of Dorchester County shall be amended and signed by the County Council to reflect the change in the Critical Area designation of the property herein described from LDA to IDA as set forth herein.

**SECTION 4:** With respect to the substantive provisions of this Bill set forth in Sections 2 and 3 and the Findings of Fact attached hereto as Exhibit A, language added after the date of introduction is shown in bold, underlined font and language deleted after the date of introduction

is crossed out with a strikethrough.

**SECTION 5:** If any provision of this Bill or the application thereof to any person or circumstance is held invalid for any reason in a court of competent jurisdiction, such invalidity does not affect other provisions or any other application of this Bill that can be given effect without the invalid provision or application, and for this purpose, the provisions of this Bill are declared severable.

**SECTION 6:** The Publishers of the Dorchester County Code, the Dorchester County Attorney, and the Dorchester County Department of Planning & Zoning, in consultation with and subject to the approval of the County Manager, shall be authorized to make non-substantive corrections to codification, style, capitalization, punctuation, grammar, spelling, and any internal or external reference or citation to the Dorchester County Code that is incorrect or obsolete, with no further action required by the County Council. All such corrections shall be adequately referenced and described in an editor's note following the section affected.

**SECTION 7:** The title and summary of this Bill shall be published promptly at least once in a newspaper of general circulation in Dorchester County following its passage in accordance with § 308 of the Charter of Dorchester County, Maryland (the "Charter").

**SECTION 8:** Pursuant to § 68-12(G)(6) of the County Code, this Bill shall be sent to the Maryland Critical Area Commission as a request to utilize a portion of the County's allotted growth allocation.

**SECTION 9:** In accordance with § 306 of the Charter, this Bill shall take effect sixty (60) days from the date of its passage.

**PUBLIC HEARING**

Having been posted and notice of the time, date, and place of hearing, and the title of Bill No. 2023-2 having been published, a public hearing was held on April 4, 2023 at 6:02 p.m. in the Council Chambers, Room 110, County Office Building, 501 Court Lane, Cambridge, Maryland 21613.

PASSED THIS 4 DAY OF April, 2023.

ATTEST:

COUNTY COUNCIL OF DORCHESTER  
COUNTY, MARYLAND

By: [Signature]  
Jeff Powell, Interim County Manager

By: [Signature]  
George L. Pfeffer, Jr., President

Pfeffer - Aye

Detmer - Aye

Kramer - Aye

Nichols - Absent

Travers - Aye

EFFECTIVE DATE: June 3, 2023

**FINDINGS OF FACT OF  
THE COUNTY COUNCIL OF DORCHESTER COUNTY**

**APPLICATION FOR GROWTH ALLOCATION ON LANDS OWNED BY  
SUICIDE BRIDGE RESTAURANT, INC.**

**I. BACKGROUND**

Suicide Bridge Restaurant, Inc. (“**Applicant**”) has applied for Growth Allocation approval for an area encompassing 4.1 acres of the 4.45-acre parcel of land where the Suicide Bridge Restaurant is located at 6304 Suicide Bridge Rd, Hurlock, MD 21643, further described as Tax Map 12, Grid 17, Parcel 24 (the “**Property**” or the “**Subject Property**”). The entire Property is currently designated Limited Development Area (“**LDA**”) and is zoned B-2 General Business District. The Property is located on the North side of Cabin Creek, and the adjacent parcels to the South, immediately across Suicide Bridge, are also classified as LDA. Applicant proposes to redesignate 4.1 acres<sup>1</sup> of the Property from LDA to Intensely Developed Area (“**IDA**”) shown as the area in RED (“**Proposed LDA to IDA**”) on a certain map entitled “**Proposed Growth Allocation of the Lands of Suicide Bridge Restaurant, Inc.**”, prepared by Rauch, Inc., dated June 2022, and attached hereto as Exhibit A-1. Per Dorchester County Code § 68-12 F (2) (c), tidal wetlands on the Property are deducted from the growth allocation request. For this reason, only 4.1 acres of IDA growth allocation are necessary rather than the total 4.45 acres for the Property to reclassify the Property from LDA to IDA.

In connection with the growth allocation request, Suicide Bridge Restaurant proposes to expand its seating area by adding a 1,000 square foot overwater deck attached to an existing seating area. The 4.1-acre IDA growth allocation is needed to allow the deck, which is considered a non-water dependent use pursuant to Natural Resources Article § 8-1808.4. This expansion of the outdoor seating area is being pursued as a response to financial hardships that COVID-19 and subsequently, the State's response in closing or limiting hospitality businesses, has imposed. The expanded outdoor seating area addresses evolving consumer preferences in the COVID-19 era and allows the restaurant to serve additional customers, which will help ensure that the restaurant can continue employing staff and contributing to the local economy.

In addition, the proposed growth allocation would eliminate an existing nonconformity on the Property. The lot coverage limit for LDAs is fifteen percent (15%), but there is no maximum lot coverage limit for IDAs.<sup>2</sup> Lot coverage on the Subject Property is currently 42%. There have been increases in the impervious area on site between 1988 and 2021 which have exceeded the 15% lot coverage area permitted within an LDA parcel. Reclassifying the Subject Property to IDA

<sup>1</sup> The original Application for Growth Allocation requested redesignation of three (3) acres to IDA. This was based on the erroneous assumption that the Subject Property was transitioning from RCA to IDA, which would include certain buffer areas in the calculation for deduction of growth allocation. In fact, the Subject Property is currently designated LDA and, therefore, those buffer areas are not included in the calculation. This Revised Request for Growth Allocation seeks the redesignation of 4.1 acres from LDA to IDA, reflecting the total site are of 4.45 acres less areas delineated as tidal wetlands.

<sup>2</sup> See Dorchester County Code §§ 68-6 and 68-7.

would address the nonconformity and give the Property an appropriate land use designation in light of its current uses.

The proposed concept plan for the overwater deck project and environmental report show zero impacts to wetlands by locating the seating area outside of the 25' non-tidal wetland buffer. There is no vegetated buffer between the Property and the waters of Cabin Creek. However, a Buffer Management and Mitigation Plan has been developed for the Property to establish and maintain a buffer and improve and protect the water quality of Cabin Creek. In addition, the classification change from LDA to IDA requires any new development or redevelopment to achieve a 10% reduction in pollution for the overall site. The existing non-conforming coverage is being treated as proposed or new development and the buildings and parking associated with the impervious area increases are the basis of the 10% pollution reduction proposal as specified in Dorchester County Code § 68-6 D (7).

## II. LEGAL CONTEXT

The Chesapeake Bay Critical Area Program was enacted by the Maryland General Assembly in 1984 in response to growing concern over the decline of the quality and productivity of the waters of the Chesapeake Bay and its tributaries. The General Assembly enacted the Critical Area Act for the following purposes:

1. to establish a resource protection program for the Chesapeake Bay and Atlantic Coastal Bays and their tributaries by fostering more sensitive development activity for certain shoreline areas so as to minimize impacts to water quality and natural habitats; and
2. to implement a resource protection program on a cooperative basis between the State and affected local governments, with local governments establishing and implementing their programs in a consistent and uniform manner subject to State criteria and oversight.

The goals of the Critical Area Program are to accomplish the following:

1. minimize adverse impacts on water quality resulting from land uses and practices;
2. conserve fish, wildlife, and plant habitat; and
3. establish land use policies that accommodate growth and address environmental impacts caused by human activities.

The program is implemented through local land use regulations, with oversight by the State Critical Area Commission. In Dorchester County, the Critical Area Program is implemented through local zoning ordinances and subdivision regulations.

As required by State law, Dorchester County classifies lands located within 1,000 feet landward of the Chesapeake Bay, its tributaries to the head of tide, and tidal wetlands, into one of three land use categories based on the land uses that existed as of 1985. These categories, Resource Conservation (RCA), Limited Development (LDA), and Intensely Developed (IDA), each specify land use policies and regulations that permit increasing intensities of land uses. Some types of new development within areas designated as RCA or LDA require a higher land use classification. The process and area by which the location and/or uses of these areas may be expanded or intensified are known as “growth allocation”.

### III. FINDINGS OF FACT – GROWTH ALLOCATION STANDARDS AND FACTORS

The Growth Allocation Standards and Factors (the “**Standards and Factors**”) refer to those standards and factors under which the Critical Area Commission and Dorchester County review the Applicant’s growth allocation request. The Standards and Factors are set forth in State law in Natural Resources Article § 8-1808.1 and COMAR 27.01.02.06-3 and are implemented at the local level in Dorchester County Code § 68-12. The County Council of Dorchester County (the “**County Council**”) hereby makes the following Findings of Fact with respect to the Standards and Factors:

#### GROWTH ALLOCATION STANDARDS

The statutory requirements for growth allocation organized under COMAR 27.01.02.06-3, *Requirements for New Intensely Developed Areas and Limited Development Areas*. The County Council hereby makes the following Findings of Fact with respect to the Standards below:

1. *A new intensely developed area shall be at least 20 acres.*

COMAR states: “Except as authorized under Regulation .03B(2) of this chapter, a new intensely developed area shall be at least 20 acres.” COMAR 27.01.02.06-3B. The exception in Regulation .03B(2), in turn, provides:

The features may be located in an area of less than 20 adjacent acres if:

- (a) As part of a local program, the Commission has approved an alternative standard for designation of an intensely developed area; and
- (b) The area is part of a growth allocation approved by the Commission.

COMAR 27.01.02.03B(2).

The Critical Area Commission has approved an alternative standard for designation of an IDA in Dorchester County’s local Critical Area program, namely Dorchester County Code § 68-12 C(3), which provides:

- (3) New intensely developed areas shall be at least 20 acres in size unless:

- (a) They are contiguous to an existing IDA or located in an LDA; or
- (b) They are grandfathered commercial or industrial use which existed as of August 23, 1988. The amount of growth allocation deducted shall be equivalent to the area of the entire parcel or parcels subject to the growth allocation request.

The Suicide Bridge Restaurant property is 4.45 acres, more or less, with 4.1 of the 4.45 acres proposed for redesignation to IDA. The entire property is currently designated LDA and, therefore, satisfies the alternative standard for IDA designation in the County's local Critical Area program, which was approved by the Commission.

**2. A local jurisdiction may not use more than ½ of its total allotted growth allocation acreage to convert an RCA into a new LDA or IDA, except in Calvert, Caroline, Cecil, Charles, Dorchester, Kent, Queen Anne's, St. Mary's, Somerset, Talbot, and Worcester Counties. If these counties are unable to utilize a portion of their growth allocation under this regulation then these counties may use a standard that varies from that above if the standard is consistent with the County's adopted comprehensive plan, the Critical Area Commission has approved the alternative standard as part of a local jurisdiction's program, and the local jurisdiction requires an applicant for growth allocation to cluster development in the growth allocation area.<sup>3</sup>**

The proposed 4.1-acre IDA growth allocation is currently designated LDA and, therefore, will not redesignate any RCA land.

**3. Locate a new Intensely Developed Area in a Limited Development Area or adjacent to an existing Intensely Developed Area.<sup>4</sup>**

The proposed 4.1-acre IDA growth allocation is currently designated LDA and, therefore, complies with this standard.

**4. Locate a new Limited Development Area adjacent to an existing Limited Development Area or an Intensely Developed Area.<sup>5</sup>**

The Subject Property is currently designated LDA and is seeking redesignation as IDA. Therefore, this standard is not applicable.

**5. Locate a new Intensely Developed Area in a manner that minimizes impacts to habitat protection areas as defined in COMAR 27.01.09, and in an area and manner that optimizes benefits to water quality and impacts to the defined land uses of the Resource Conservation Areas.<sup>6</sup>**

<sup>3</sup> Dorchester County Code § 68-12 C(4).

<sup>4</sup> Dorchester County Code § 68-12 C(1).

<sup>5</sup> Dorchester County Code § 68-12 C(2).

<sup>6</sup> Dorchester County Code §§ 68-12 C(5)-(6).

No impacts are proposed to habitat protection areas. No construction or development within the Critical Area is proposed landward of mean high water in conjunction with the Growth Allocation Application. With respect to water quality, the site's stormwater management practices have been designed based on the current regulatory requirements and are expected to be approved by the appropriate agencies. No new development is proposed within the 100' Buffer apart from implementation of a Buffer Management Plan, which will enhance water quality. Finally, the proposed IDA will be located in an area currently designated LDA and, therefore, impacts to defined land uses of the RCA will be minimized.

6. ***Locate a new intensely developed area or limited development area in a resource conservation area at least 300 feet beyond the landward boundary of tidal wetlands or tidal waters, unless the local jurisdiction proposes, and the Commission approves, alternative measures for enhancement of water quality and habitat that provide greater benefits to the resources.***<sup>7</sup>

The Property is currently classified as LDA. Therefore, this Standard is inapplicable.

### GROWTH ALLOCATION FACTORS

In accordance with Natural Resources Article § 8-1808.1(c)(4) and COMAR 27.01.02.06-3(G), the Commission shall consider the following factors when reviewing a map amendment or refinement involving the use of growth allocation. The County Council hereby makes the following Findings of Fact with respect to the Factors below:

1. ***Consistency with the jurisdiction's adopted comprehensive plan and whether the growth allocation would implement the goals and objectives of the adopted plan.***<sup>8</sup>

Two of the "Major Themes" of the 2021 Dorchester County Comprehensive Plan (the "Comprehensive Plan") support the proposed growth allocation. The first theme, titled "Economic development of the seafood industry", acknowledges that Dorchester County's economic health depends on promoting the local seafood industry, which is a key part of the area's maritime heritage and culture. *See* Comprehensive Plan at p. 1-9. The second major theme, titled "Eco-tourism", focuses on the importance of attracting travelers, cyclists, boaters, hunters and fishermen in order to boost economic development and promote the area's maritime culture. *Id.* Here, the proposed growth allocation serves both goals. The Suicide Bridge Restaurant specializes in serving fresh local seafood to residents and visitors and shares ownership with Kool Ice & Seafood Company, located in downtown Cambridge, which participates in wholesale and retail seafood markets. The IDA designation will allow the restaurant to enhance its waterside appeal, which in turn will help to promote the market for seafood and attract more boaters and other users of the restaurant's marine facilities, including its riverboat cruises.

In addition to being consistent with the policies of the Comprehensive Plan, the proposed growth allocation is consistent with timing of the implementation of the plan, development, and rezoning; development patterns; land uses; and densities and intensities. The Suicide Bridge

<sup>7</sup> COMAR 27.01.02.06-3 E(4).

<sup>8</sup> Dorchester County Code § 68-12 D(1).

Restaurant has been a longstanding fixture of the community, predating the County's adoption of its Critical Area program. The restaurant and marina uses are consistent in terms of size and scale with other, similar establishments throughout the region. The timing of the growth allocation is appropriate given that the principal uses already exist on the Subject Property, and the limited seating expansion envisioned by the owner will not alter the nature and character of existing land uses or development patterns in the area.

**2. For a new Intensely Developed Area, whether the development will:**

**(a) Be served by a public wastewater system.<sup>9</sup>**

The Subject Property is located just north of the Town of Secretary, Maryland, which operates a wastewater treatment plant ("WWTP") jointly with the Town of New Market. On February 15, 2022, the County Council adopted Resolution 645, amending the County's Comprehensive Water & Sewer Plan to designate the Subject Property "S-1" sewerage service to be served by a denied access line from the Town of Secretary Wastewater Treatment Plant. A copy of the Resolution is attached hereto as Exhibit A-2. The planned sewer line will be constructed at the expense of the Applicant. The Town of Secretary will own, operate, and maintain the critical infrastructure, including the pump station and force main. The connection will provide a long-term solution to public health concerns arising from the Property's overburdened on-site septic disposal system, which currently relies on pumping and hauling. The connection will be sized and constructed to accommodate flows only from the Subject Property. The Resolution is currently pending review by Maryland Department of the Environment. On June 10, 2022, the Maryland Department of the Environment issued a Final Action Letter approving Resolution 645. Attached hereto as Exhibit A-3 is a copy of MDE's Final Action Letter. The Applicant expects to enter into a Sewer Extension Agreement with the Town of Secretary in January 2023.

**(b) Have an allowed average density of at least 3.5 units per acre, as calculated under State Finance and Procurement Article, § 5-7B-03(h), Annotated Code of Maryland.**

The proposed growth allocation does not involve the completion of a subdivision or entail residential development. The site will continue to operate as a restaurant and marina.

**(c) For a new intensely developed area that is greater than 20 acres, be located in a priority funding area.**

The site is less than 20 acres in size but is nonetheless located within a PFA.

**(d) Have a demonstrable economic benefit to the area.**

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<sup>9</sup> Dorchester County Code § 68-12 D(3)(a).

The proposed growth allocation will allow the business to apply for the right to construct additional outdoor, waterfront seating. This, in turn, will have demonstrable economic benefits by attracting additional customers, allowing the business to retain staff, and promoting the regional seafood industry.

**3. For a new limited development area, whether the development will be served by a public wastewater system or septic system that uses best available nitrogen removal technology, complete an existing subdivision, expand an existing business, or be clustered.<sup>10</sup>**

The Subject Property is already designated LDA and is seeking redesignation as IDA. Therefore, this factor is not applicable. For a discussion of plans to extend public sewer to the Subject Property, see Response to Factor 2(a) above.

**4. Consistency with State and regional environmental protection policies concerning the protection of threatened and endangered species and species in need of conservation that may be located onsite or offsite.<sup>11</sup>**

No impacts to threatened or endangered species in need of conservation are proposed by this Application.

**5. Impacts on a priority preservation area, as defined under Agriculture Article, § 2-518, Annotated Code of Maryland.<sup>12</sup>**

The Property is not designated a priority preservation area.

**6. Environmental impacts associated with wastewater and stormwater management practices and wastewater and stormwater and stormwater discharges to tidal waters, tidal wetlands, and tributary streams.<sup>13</sup>**

The site's wastewater and stormwater practices have been designed and implemented based on the current regulatory requirements and are expected to be approved by the appropriate agencies.

**7. Environmental impacts associated with location in a coastal hazard area or an increased risk of severe flooding attributable to the proposed development.<sup>14</sup>**

The proposed development is not located in a coastal hazard area and will not cause any increased risk of severe flooding.

<sup>10</sup> Dorchester County Code § 68-12 D(2).

<sup>11</sup> Dorchester County Code § 68-12 D(5).

<sup>12</sup> Dorchester County Code § 68-12 D(6).

<sup>13</sup> Dorchester County Code § 68-12 D(7).

<sup>14</sup> Dorchester County Code § 68-12 D(8).

## ADDITIONAL STATUTORY AND REGULATORY REQUIREMENTS

In addition to the Growth Allocation Standards and Growth Allocation Factors discussed above, a statute must also address the following requirements for growth allocation:

1. *Intensely Developed or Limited Development Areas shall conform to all criteria of the Commission for Intensely Developed or Limited Development Areas and shall be designated on the comprehensive zoning map submitted by the local jurisdiction as part of its application to the Commission for program approval or at a later date in compliance with Section 8-1809(g).*<sup>15</sup>

Upon approval of the proposed IDA growth allocation, Dorchester County would submit a revised comprehensive zoning map to the Commission.

2. *The area of expansion of Intensely Developed or Limited Development Areas, or both, may not exceed an area equal to 5 percent of the county's portion of the Resource Conservation Area lands that are not tidal wetland or federally owned.*<sup>16</sup>

Dorchester County's original growth allocation was 2,900 acres, representing 5% of the 58,000 acres classified as RCA at the time the County's Critical Area Program was adopted. Since that time, 1,416 acres have been awarded or used, leaving 1,486 acres remaining for growth allocation. The proposed 4.1-acre IDA growth allocation for the Property would leave the County with ample remaining growth allocation.

## IV. FINDINGS OF FACT – ADDITIONAL CONSIDERATIONS

### BUFFER MANAGEMENT PLAN

This Growth Allocation Request incorporates a Buffer Management and Mitigation Plan to address buffer establishment and mitigation on the Subject Property. Mitigation is required due to increases in lot coverage from 1988 to 2021. During that time, lot coverage increased from 25.9% to 42%, including an increase of 10,877 sq. ft. within the 100' buffer. Under COMAR, the Applicant must provide a total of 1.465 acres (63,826 sq. ft.) of buffer plantings, consisting of 20,318 sq. ft. of buffer establishment for increased lot coverage outside of the buffer and 43,508 sq. ft. representing 4:1 mitigation for increased lot coverage within the 100' buffer. Due site constraints, the Applicant proposes to establish buffer mitigation plantings within the 100-ft. buffer on an adjacent parcel of land owned by the Applicant with an address of 6305 Suicide Bridge Road, Hurlock, Maryland 21643, and further described as Tax Map 12, Grid 17, Parcel 16. The proposed plantings are shown on a certain plan titled "Suicide Bridge Buffer Management Plan of the Lands of Suicide Bridge Restaurant, Inc.", prepared by Rauch, Inc., dated July 2022, and attached hereto as Exhibit A-4. Approval of the Applicant's request for growth allocation and the proposed Buffer Management and Mitigation Plan will address the existing nonconformity on the site due to increased lot coverage and enhance natural habitat and water quality.

<sup>15</sup> Dorchester County Code § 68-12 C(8).

<sup>16</sup> Dorchester County Code § 68-12 A.

## STORMWATER MANAGEMENT

This Growth Allocation Request also incorporates a proposed Stormwater Management Plan to address increased lot coverage on the Subject Property and to achieve a 10% reduction in pollutant discharges from the site. The existing but non-conforming lot coverage will be treated as proposed or new development and the building and parking associated with the impervious area increases are the basis for the 10% pollution reduction proposal as specified in Dorchester County Code § 68-6 D(7). The proposed stormwater practices are shown on a certain plan titled “Proposed SWM of the Lands of Suicide Bridge Restaurant, Inc.”, prepared by Rauch, Inc., dated February 2022, and attached hereto as Exhibit A-5. All of the stormwater practices are proposed to be located on-site. The Stormwater Management Plan seeks to avoid placing the on-site practices within the 2.25 acre grass-covered septic drain field area and achieves this with the exception of Bioswale #4, which would not be constructed until public sewer is extended to the site. Bioswales #1, 2, and 3 could be constructed prior to the extension of public sewer. Approval of the Applicant’s request for growth allocation and the proposed Stormwater Management Plan will address the existing nonconformity on the site due to increased lot coverage and significantly enhance treatment of stormwater runoff leaving the site.

## UNDERLYING ZONING & NON-WATER DEPENDENT PROJECTS TEXT AMENDMENT

The Property is zoned B-2 General Business District. This District is established “to provide areas for a broad range of business, commercial and personal service uses serving a large geographic area.” Dorchester County Code § 155-33 A(11). Restaurants are permitted in the B-2 zone, as are commercial marinas and piers. *See Table of Permitted Uses by Zoning District, Dorchester County, Maryland*, 155 Attachment 1. The proposed growth allocation is consistent with the purpose of the B-2 zone and by facilitating a modest expansion to the Restaurant’s outdoor seating, will promote the continued operation of the Restaurant and the marina within the B-2 zone.

In addition, the Applicant has pursued a text amendment to the County’s Critical Area Program to allow non-water dependent structures pursuant to Natural Resources Article § 8-1808.4. On March 1, 2022, the County Council voted to approve Bill No. 2022-2, which would authorize such structures in the County. The Critical Area Commission approved the text amendment as a program refinement at the Commission’s May 4, 2022 meeting. Attached hereto as Exhibit A-6 is a letter from the Commission dated May 10, 2022 confirming the program refinement. Approval of this Request for Growth Allocation will allow the Applicant to meet the IDA-criteria of the non-water dependent structure regulations in Bill No. 2022-2.

## V. CONCLUSION

In consideration of the information submitted by the Applicant, the testimony and evidence presented at the County Council’s hearing on the proposed growth allocation, and the rest of the record, the County Council hereby adopts the Findings of Fact set forth herein and grants an award of growth allocation to redesignate 4.1 acres of the Property from LDA to IDA.

ATTEST:

**THE COUNTY COUNCIL OF DORCHESTER  
COUNTY, MARYLAND**

\_\_\_\_\_  
Jeff Powell, Interim County Manager

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George L. Pfeffer, Jr., President

\_\_\_\_\_  
Mike Detmer, Vice President

\_\_\_\_\_  
Rob Kramer, Jr., Member

\_\_\_\_\_  
William V. Nichols, Member

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Ricky C. Travers, Member

Proposed Final Draft

**RESOLUTION NO. 645**

**A RESOLUTION OF THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND AMENDING THE 2004 DORCHESTER COUNTY COMPREHENSIVE WATER AND SEWER PLAN BY CHANGING THE DESIGNATION OF THE PARCEL DESIGNATED AS PARCEL 24 OF DORCHESTER COUNTY TAX MAP 12, ZONED B-2 GENERAL BUSINESS, IN THE HURLOCK ELECTION DISTRICT OF DORCHESTER COUNTY, MARYLAND, KNOWN AS SUICIDE BRIDGE RESTAURANT, FROM "NO PLANNED SERVICE" TO "S-1" SEWERAGE SERVICE.**

**WHEREAS**, property known as the Suicide Bridge Restaurant, being designated as Parcel 24, Dorchester County Tax Map 12, located at 6340 Suicide Bridge Road (the "Property") is currently served by a domestic well, on-site septic system and tile disposal field. The tile disposal field is old and has difficulty handling the 5,000-6,000 gallon average daily wastewater flow. Summer season peak flows are approximately 9,000-10,000 gallons per day. The owner is pumping and hauling the wastewater to the town of Hurlock treatment plant during high flow periods to avoid any environmentally damaging overflows from the system. Hydraulic failure would probably occur if regular pumping of the system ceased. Without routine pumping, the hydraulic failure would be obvious and continually and immediately detrimental to groundwater and nearby streams and rivers. This is a health and safety concern for the residents in the area; and

**WHEREAS**, the Dorchester County Health Department will not approve a renovation or replacement of the existing tile field due to limiting soil conditions and seasonal high groundwater throughout the Property, and the best permanent solution for this ongoing wastewater problem is the connection of Suicide Bridge Restaurant to a public wastewater collection and treatment system that can provide high-quality treatment of all wastewater generated by the Property; and

**WHEREAS**, on December 1st, 2021, the Dorchester County Planning Commission reviewed the application for amendment to the Dorchester County Water and Sewerage Plan submitted by the owner of Suicide Bridge Restaurant and recommended approval of the amendment to designate the Property as S-1 for immediate connection to the Town of Secretary sewerage facility; and

**WHEREAS**, the Town of Secretary is willing to permit the extension of municipal sanitary sewer to the Property; the owner of the Property will be responsible for all cost to extend the service (via tri-plex low pressure grinder pump and 4" PVC forcemain connection). The pump station and forcemain will be owned, operated and maintained by the Town of Secretary at the expense of the property owner; and

**WHEREAS**, as designated on the proposed map amendment, the forcemain is proposed for approval as a denied access line, sized and constructed to accommodate flows only from the Property. Access to the forcemain is limited to Property, absent the consent of all parties required by law to approve the connection to the forcemain; and

**WHEREAS**, the amendment to designate the Property as S-1 is consistent with the goals and objectives of the 2021 Dorchester County Comprehensive Plan; and

**WHEREAS**, the County Council has, in compliance with Section 9-503(c) of the Environment II Article, given the principal elected official of each municipal corporation that is affected notice of the Plan, revision, or amendment at least fourteen (14) days before the public hearing; and

**WHEREAS**, the County Council of Dorchester County, Maryland, having held a public hearing on February 15, 2022 and having given careful consideration to the matter, voted to adopt the proposed amendment.

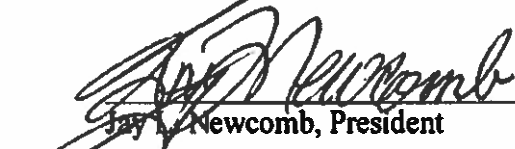
**NOW, THEREFORE**, the County Council of Dorchester County, Maryland does hereby amend the Plan and hereby designates the Property as S-1 sewerage service.

**PASSED AND ADOPTED THIS** 15th day of February, 2022.


ATTEST:


THE COUNTY COUNCIL OF  
DORCHESTER COUNTY, MARYLAND

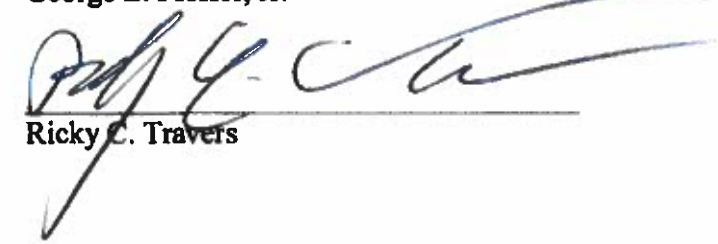
  
Donna F. Lane, Acting County Manager

  
Jay L. Newcomb, President

  
Libby Handley Nagel, Vice President

  
William V. Nichols

  
George L. Pfeffer, Jr.

  
Ricky C. Travers

Jan.22  
SuicideBridge.Res/mlh



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# Maryland

Department of  
the Environment

Larry Hogan, Governor  
Boyd K. Rutherford, Lt. Governor

Horacio Tablada, Secretary  
Suzanne E. Dorsey, Deputy Secretary

June 10, 2022

The Honorable Jay L. Newcomb  
President  
Dorchester County Council  
501 Court Lane  
Cambridge, MD 21613

Dear President Newcomb:

The Maryland Department of the Environment (MDE) has completed its review of **Resolution No. 645 to the 2004 Dorchester County Comprehensive Water and Sewer Plan (Amendment)**. The Dorchester County Council adopted the Amendment on February 15, 2022. The Amendment proposed the following changes:

1. Amend text in Chapter 4, Section 4.4.15 to remove the subject property, Suicide Bridge Restaurant (6304 Suicide Bridge Road, Map 0012, Parcel 0024), from the designated service area of the Town of Hurlock as was previously proposed by 2016 Resolution 587 approved by MDE on October 20, 2016;
2. Amend text in Section 4.4.2 to specify that the subject property will be served by the Twin Cities (Secretary/East New Market) WWTP by a denied access force main;
3. Revise Table 4-2, to remove the subject property from the Town of Hurlock WWTP service area;
4. Revise Table 4.2 to specify that the subject property will be served by the Twin Cities (Secretary/East New Market) WWTP;
5. Revise Table 4-6 to indicate that the subject property will be served by the Twin Cities WWTP
6. Revise Exhibit 4-C and 4-G to indicate that the subject property will be served by the Twin Cities WWTP instead of the Town of Hurlock WWTP.

### **Maryland Department of Planning Findings**

The Maryland Department of Planning (MDP) advised MDE that the Amendment appears to be consistent with the Dorchester County Comprehensive Plan, including the *Land Use Chapter (Rural Residential Growth, Map 3.4 – Future Land Use)*, as well as *Other Land Use Recommendations (Extensions of Public Sewer)*. From a public facilities perspective, MDP finds that the Amendment also appears to be consistent with the Water Resources Chapter and Community Facilities Chapter of the Comprehensive Plan.

The Honorable Jay L. Newcomb

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MDP notes that the subject property is identified as Tier III on the County's adopted Tier Map (Appendix B – Growth Tier Map). The County should revise the Tier Map to designate the subject property as Tier I, described as "[t]hose areas currently served with public sewer and located within a Municipal Growth Area or Suburban Growth Area as indicated on Map 3.4, Future Land Use Plan" (page 3-18).

If there are comments or questions regarding MDP's review, MDE encourages the County to contact MDP. See enclosed MDP's comments and contact information.

### **MDE Findings and Action**

1. MDE notes that this Amendment allows the Suicide Bridge Restaurant to connect to the Twin Cities WWTP via denied access line for 0.01 MGD. Acceptance of this flow by the Twin Cities WWTP will alleviate a public health hazard arising from the imminent failure of the septic system (the owner is currently pumping and hauling sewage to prevent hydraulic failure of the system). Due to existing soil conditions, the septic system cannot be improved or upgraded to accommodate the flow. The Dorchester Health Department has determined that other reasonable alternatives are not available to solve the existing health related problem.
2. Wastewater Treatment Plant Capacity: The Suicide Bridge Restaurant, Tax Map 0012, Parcel 0024 will contribute a total of approximately 0.01 million gallons per day (MGD) to the Twin Cities Wastewater Treatment Plant (WWTP). The Twin Cities WWTP current permitted design capacity is 0.281 million gallons per day (MGD). The Twin Cities WWTP, which is currently experiencing an average three year flow of 0.244 MDG will be at approximately 80% of its design capacity after the incorporation of the additional flow from the Suicide Bridge Restaurant.
3. The Amendment proposes that "Wastewater from the Subject Property will be collected in a series of septic tanks and grease traps and effluent only will be discharged to the tri-plex pumping station to be pumped to the Town of Secretary." The MDE Water Supply Program notes that the new septic/grease trap system and existing tile field may have the potential to affect groundwater quality, particularly if there are nearby wells in the surficial aquifer that could be impacted by leaching of the septic system.
4. The MDE Wetlands and Waterways Program notes that there may be wetland or waterway impacts associated with the project. Impacts will be reviewed by MDE during application review. Pre-application meetings are also available to discuss avoidance, minimization, and restoration after temporary impacts. Early coordination with the Program during planning stages for the project is strongly encouraged to avoid or minimize adverse impacts from regulated activities. If there are activities proposed for new sewer or water projects in regulated resources, the County is

The Honorable Jay L. Newcomb

Page 3

encouraged to contact the Wetlands and Waterways Program.

The proposed sewer extension includes crossings of tidal wetlands, mapped floodplains, and mapped flood hazard zones. The tidal wetland crossings are currently under review by the Tidal Wetlands Division- the Wetlands and Waterways Program for application 19-WL-0565. The Division has interagency discussions as to whether or not the connection can occur before the Wastewater treatment plant is upgraded. Authorization from the Wetlands and Waterways Program will be required.

5. Please be advised that based on MDE's Digital Flood Insurance Rate Maps, portions of the County's planned service areas identified on the Water and Sewer Maps for Resolution No. 645, Suicide Bridge Restaurant appear to be located in the floodplain Zone AE "Special Flood Hazard Area". The properties should follow local floodplain ordinances and Federal Emergency Management Agency's guidelines and standards. It is advised that the county consider climate resiliency for these properties, which could include but not limited to the following steps (<https://toolkit.climate.gov/>):
  - a. Explore Hazards: Identify climate and non-climate stressors, threats, and hazards and how they could affect assets (people and infrastructure).
  - b. Assess vulnerability and risks: Evaluate assets vulnerability and estimate the risk to each asset.
  - c. Investigate options: Consider possible solutions for your highest risks, check how others have responded to similar issues, and reduce your list to feasible actions.
  - d. Prioritize and plan: Evaluate costs, benefits, and capacity to accomplish each action integrating the highest value actions into a stepwise plan.
  - e. Take action: Move forward with your plan and check to see if your actions are increasing your resilience with monitoring.

The County is advised to contact Dave Guignet, State NFIP Coordinator, of MDE's Stormwater, Dam Safety, and Flood Management Program, at (410) 537-3775 for additional information regarding the regulatory requirements for Floodplains and Storm Surges.

The County is advised to contact Matthew C. Rowe, CC-P, Assistant Director of MDE's Water and Science Administration, at (410) 537-3578 for additional information regarding Climate Change and Resiliency

Please be reminded that the Dorchester County Comprehensive Water and Sewer Plan update is overdue. Code of Maryland Regulations requires that the County provide a copy of the draft Water and Sewer Plan (WSP) to MDE prior to County adoption. This action ensures that MDE's comments can be incorporated, as appropriate, in the County's final WSP.

The Honorable Jay L. Newcomb  
Page 4

In accordance with §9-507(a) of the Environmental Article, Annotated Code of Maryland, **MDE hereby approves the Resolution No. 645, Amendment to the 2004 Dorchester County Comprehensive Water and Sewer Plan.** See enclosed water and sewer map changes below.

This action completes MDE's review, as required by §9-507 of the Environment Article, Annotated Code of Maryland. If you need further assistance, please contact Heather Barthel, Deputy Director, at (410) 537-3512, toll-free at (800) 633-6101, or by e-mail at [heather.barthel@maryland.gov](mailto:heather.barthel@maryland.gov).

Sincerely,

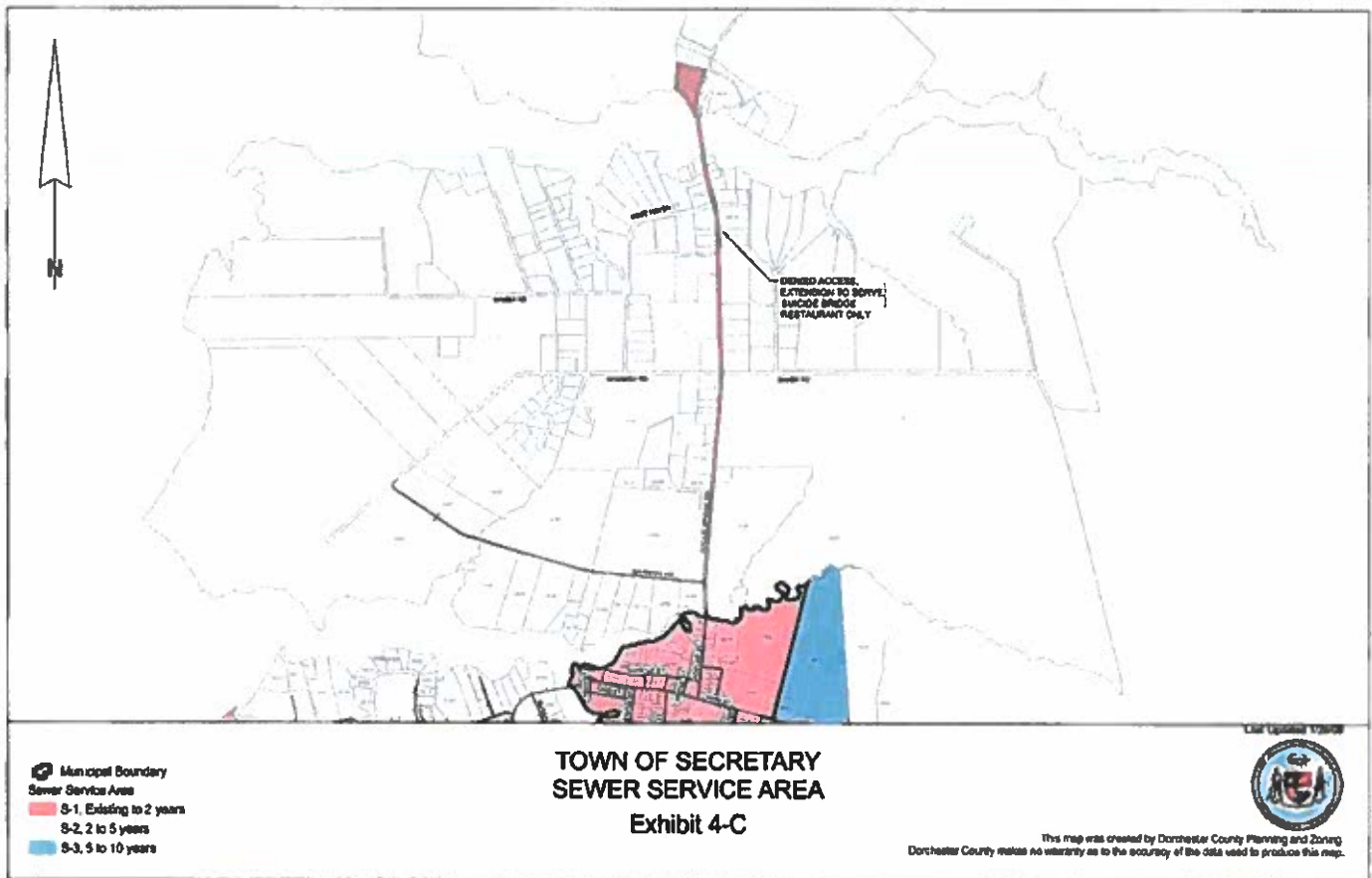


D. Lee Currey, Director  
Water and Science Administration

Enclosure

cc: Susan Webb, Acting Director of Planning and Zoning, Dorchester County  
William C. Forlifer, Director of Environmental Health, Dorchester County  
Charles Boyd, Director, Planning Coordination, MDP  
Heather Barthel, Deputy Director, WSA, MDE  
Dave Guignet, State NFIP Coordinator, WSA, MDE  
Matthew C. Rowe, Assistant Director, WSA, MDE

**Twin Cities to Suicide Bridge Denied Access Map**



**Table 4-2****Table 4-2 (S.H.D.-II)  
INVENTORY OF EXISTING COMMUNITY AND INDIVIDUAL SEWAGE PROBLEM AREAS**

SEWERAGE SERVICE AREA	NATURE OF PROBLEM	POPULATION	AREA (ACRES)	CAPACITY (MGD)	DEMAND (MGD)	PLANNED CORRECTION AND ACTION
<b>I. INCORPORATED AREAS</b>						
<b>A. City of Cambridge</b>	a) Infiltration b) Combined sewer overflows c) Cambridge WWTP Nutrient Removal		Total City 3,392 Combined Sewer Area, 333	8.1	4.4	a) Step 1 Facilities Plan under study b) Combined Sewer Overflow Project Phase 2 of 7 completed 2003. Phase 3 in design. c) BNR upgrade completed 2003
<b>B. Town of Secretary</b>	a) Infiltration b) <u>Salicide Bridges Restaurant - inadequate disposal field; no alternative for repair or replacement.</u>	None; commercial use	161 3	0.14 50% of Twin Cities WWTP <u>0.010</u>	0.10 <u>0.010</u>	a) Grouting and selective pipeline replacement. Funding needed. b) <u>Connection to Secretary WWTP by denied access for remain</u>
<b>C. Town of East New Market</b>	a) Infiltration		156	0.14 50% of Twin Cities WWTP	0.25	Sewer replacement completed in 2003
<b>D. Town of Vienna</b>	a) Infiltration		75	0.13		Wastewater treatment plant and sewer replacement completed in 1998.

**Table 4-2 (Continued)**Table 4-2 (S.H.D.-II)  
INVENTORY OF EXISTING COMMUNITY AND INDIVIDUAL SEWAGE PROBLEM AREAS

SEWERAGE SERVICE AREA	NATURE OF PROBLEM	POPULATION	AREA (ACRES)	CAPACITY (MGD)	DEMAND (MGD)	PLANNED CORRECTION AND ACTION
<b>II. COMMUNITIES (CONT.)</b>						
<b>O. Hurlock (District 15)</b>						
1. Mission Hill	Inadequate privies	20 homes	-	-	-	Possible inclusion in Hurlock Facilities Plan. Funding required. Possible inclusion in Hurlock Facilities Plan. Funding required. Study by Sanitary Commission  Connection to Hurlock WASTP by denied access for remain
2. Jones Village	Inadequate privies		-	-	-	
3. Bobtown	No sanitary facilities	10 homes	-	-	-	
4. Suicide Bridge Restaurant	Inadequate disposal field-no alternative for repair or replacement	None-commercial use	3	0.010	0.010	
<b>P. Madison (District 16)</b>						
1. Madison	Failing septic system		-	-	0.05	Expansion of the Sanitary District No. 3 (Church Creek)
2. Deep Point	Failing septic system		-	-	-	
3. Brad-Vern Park	Failing septic system		-	-	-	
4. Harrisville	Failing septic system		-	-	-	
<b>Q. Salem District (District 17)</b>						
<b>R. Elliott Island (District 18)</b>						

**Table 4-6**

Table 4-6 (S.H.D.-13)  
IMMEDIATE, 5 AND 10 YEAR PRIORITIES FOR SEWERAGE DEVELOPMENT

PROJECT NAME & DESCRIPTION	COORDINATE LOCATION (NORTH EAST)	COUNTY PRIORITY ASSIGNED	ESTIMATED COSTS					PROJECT SCHEDULE				
			TOTAL	ELIGIBILITY		OTHER FUNDING		LOCAL	PRELIM. PLANS	FINAL PLANS	START CONSTR.	COMPLETE CONSTR.
				FED	STATE	FED	STATE					
<b>I. COMMUNITY</b>	270,000 1,065,000		7,500,000		150,000 per year	-	-	6,000,000	1996	1998	1998	2010
A. Cambridge												
1. Combined Sewer Separation Project												
2. BNR			7,456,000		3,400,500			4,055,500	1998	1999	1999	2001
3. Bayly Road Sewer Extension	261,000 1,060,000		216,000		200,000						1994	1994
<b>B. Harlock</b>												
1. Industrial Park Sewer Extension and Electrical Upgrade		S-1	82,000							2004	2004	2004
2. BNR Upgrade		S-1	4.5 million							2003	2003	2004
3. Delmarva Community Services		S-1								2003	2003	2004
4. North Dorchester School Complex Extension		S-1	637,100			445,970	BOE 191,130		2003	2004	2005	2005
5. 307 Extension		S-2										
6. Travers Ave. Ext		S-1	195,000									
7. Suicide Bridge Restaurant Extension		S-1	1450,000		TBD		TBD	TBD	Deferred 2016	Until 2016	Site is 2016	Developed 2016
<b>C. Twin Cities (ENM/Secretary)</b>												
1. Rehab Sewer Mains	280,000 1,110,000	S-1 Deferred until 1/1 correct in ENM	736,000							1995	1995	1996
2. Extend sewers to Depot Area					125,000							
3. Suicide Bridge Restaurant Extension		S-1	1450,000		TBD		TBD	TBD	2016	2022	2022	2022
3. Extend sewers to Linkwood Road (future annex. Area)	277,000 1,106,000		N/A								S-3	

DATE: May 16, 2022

TO: Nicholai Francis-Lau, Watershed Protection, Restoration, and Planning Program

FR: Denise Clearwater, Wetlands and Waterways Program

RE: Water and Sewer Plan Amendment – Dorchester County Resolution 645 – Suicide Bridge Restaurant Sewer Connection to Town of Secretary treatment plant

Wetlands provide important socio-economic benefits and ecosystem services such as storing and conveying flood waters, recharging groundwater, improving water quality by filtering and storing nutrients, and providing shoreline protection and critical habitat for a multitude of plant and animal species. The Maryland Department of the Environment's Wetlands and Waterways Program protects Maryland wetlands and waterways from loss and degradation. This protection is achieved through the regulation of the draining, dredging and filling of tidal and nontidal wetlands, the nontidal wetland buffer and waterways, including the nontidal 100-year floodplain through a permitting or authorization process implemented in close coordination with the federal government (specifically, the Army Corps of Engineers).

Persons proposing activities in tidal wetlands, nontidal wetlands and their 25- or 100-foot buffers, or nontidal waterways and their 100-year floodplain must submit a Joint Permit Application and supporting information to the Wetlands and Waterways Program. Early coordination with the Program is encouraged to discuss regulatory requirements and minimization of adverse impacts to the regulated resources.

Contact: Wetlands and Waterways Program Office (410) 537-3837  
Regulatory Services Section / Application Processing (410) 537-3752

**Tidal Wetlands.** Activities in tidal wetlands to construct or reconstruct structures, or to dredge or fill a State or private tidal wetland, shall obtain a license from the Board of Public Works or a permit from Maryland Department of the Environment. The construction, reconstruction, alteration, or addition to any conduit, cable, pipeline, intake or discharge pipe, trestle, or other similar device, structure, or apparatus, over, on, in, or under tidal wetlands or waters of the State requires an applicant to submit a Joint Permit Application and supporting information to MDE's Wetlands and Waterways Program. The Program will review the application and supporting information to make a determination which will be provided in a Report and Recommendation to the Board for their use in making a decision to grant or deny a license for proposed work over, on, in, or under **State tidal wetlands**. The Program will review the application and supporting information to make a determination to issue or deny a permit for proposed work over, on, in, or under **private tidal wetlands**.

A person submitting a Joint Permit Application to obtain a license or permit shall be the riparian landowner of upland adjoining the affected area of State or private tidal wetlands, an agent of the riparian landowner, the State, any unit of the State, a public service company, a municipality, or a political subdivision.

Contact: Tidal Wetlands Division (410) 537-3571

**Nontidal Wetlands.** MDE regulates the following activities in nontidal wetlands and their 25-foot or expanded 100-foot buffers: (i) Removal, excavation, or dredging of soil, sand, gravel, minerals, organic matter, or materials of any kind; (ii) Changing existing drainage characteristics, sedimentation patterns, flow patterns, or flood retention characteristics; (iii) Disturbance of the water level or water table by drainage, impoundment, or other means; (iv) Dumping, discharging of material, or filling with material, including the driving of piles, and placing of obstructions; (v) Grading or removal of material that would alter existing topography, and (vi) Destruction or removal of plant life that would alter the character of a nontidal wetland.

Contact: Nontidal Wetlands Division (410) 537-3456

**Nontidal Waterways and 100-year Floodplain.** MDE regulates construction, reconstruction, repair, or alteration of a dam, reservoir, or waterway obstruction or any change of the course, current, or cross section of a stream or body of water within the State including any changes to the 100-year frequency floodplain of free-flowing waters.

Contact: Waterway Construction Division (410) 537-3456

**Climate Change Resiliency and Flooding.** In addition, consideration of measures to address climate change are highly encouraged. This may include designing stormwater management facilities to treat storm events beyond generating more than 1" of runoff in 24 hours, and instead treat more frequent, higher intensity, shorter duration events. Roads crossings over waters may need to be designed to different standards to pass storm flows without infrastructure damage or discharges to aquatic life. Retention or re-establishment of forests is also highly desirable.

The County or applicant is advised to contact Dave Guignet, State NFIP Coordinator, of MDE's Stormwater, Dam Safety, and Flood Management Program, at (410) 537-3775 for additional information regarding the regulatory requirements for Floodplains and Storm Surges.

The County or applicant is advised to contact Matthew C. Rowe, CC-P, Assistant Director of MDE's Water and Science Administration, at (410) 537-3578 for additional information regarding Climate Change and Resiliency

I have reviewed the proposed amendment for the Wetlands and Waterways Program and have the following comments:

There are mapped/wetlands hydric soils or streams and 100-year floodplains in the vicinity of the property. The applicant is encouraged to consult with the Wetlands and Waterways Program to verify the presence of wetlands, their buffers, stream and its 100- year floodplain in relation to any activities which are planned for the property. Activities in these water resources may be subject to regulatory requirements from the MDE's Wetlands and Waterways Program.

Early coordination with the Wetlands and Waterways Program for new major or replacement lines is recommended in advance of submitting applications and to discuss any new requirements related to restoration of wetlands after temporary impacts.

- Early coordination with the Program during planning stages for the project is strongly encouraged to avoid or minimize adverse impacts from regulated activities. If there are activities proposed for new sewer or water projects in regulated resources, the County is encouraged to contact the Wetlands and Waterways Program.
- The plan mentions new extensions for water and sewer lines, storage facilities, and/or treatment plants. Where practicable, locations of the utility lines and facilities should support protection measures from future development in wetlands, waterways, or floodplains, as well as avoiding and minimizing impacts from the line, treatment facility, and supporting utility infrastructure. Suggested for consideration include:
- a) a prohibition on new subdivision lots in wetlands;
  - b) avoidance and minimization requirements;
  - c) site plan considerations over multiple parcels that provide for contiguous wetland and stream corridors to be maintained, with minimum fragmentation from roads, buildings, or other structures; and
  - d) location of new or replacement lines in existing utility or road rights-of-way.
- Compensatory mitigation may be required for permanent wetland losses, including conversion of forested wetlands to other wetland types and permanent access roads, and other structures.
- Wetland estimates in the county should use estimates from the National Wetlands Inventory and DNR Wetlands layers. Sensitive resources may be preliminarily identified using the Watershed Resources Registry at:  
<https://watershedresourcesregistry.org/states/maryland.html>.
- An evaluation of the site and its vicinity using the Watershed Resources Registry shows the presence of sensitive resources. These may include: sensitive species project review areas, Targeted Ecological Areas, Biodiversity Conservation Network, Nontidal Wetlands of Special State Concern, Tier II watershed, Stronghold Watershed, and/or Forest Interior Species. Contact MDE or the Maryland Department of Natural Resources for recommendations or requirements to avoid or minimize adverse impacts to these resources.
- There may be wetland or waterway impacts associated with the project. Impacts will be reviewed by MDE during application review. Pre-application meetings are also available to discuss avoidance, minimization, and restoration after temporary impacts.
- The Wetlands and Waterways Program (Program) encourages a site design which avoids, or if avoidance is not practicable, minimization of impacts from activities in regulated stream or wetland resources. The Program also supports the cluster design recommended by the County for this project to conserve remaining forest land on site and avoid and minimize activities in the stream or potential wetlands.
- The plan/project includes activities in Tier II watershed(s). Tier II streams are high-quality waters that require, under regulation, additional consideration to protect their water

quality. Water quality and their associated aquatic resources in Tier II streams require healthy contributing watersheds and riparian areas, including adjacent floodplains and wetlands. Tier II waters may also be associated with other sensitive species and nontidal wetlands of special State concern.

All possible considerations should be implemented to protect high-quality waters and their associated wetlands and floodplains from activities which may result in water quality degradation. This primarily consists of rigorous watershed planning, with consideration of the extra provisions necessary to protect high-quality waters; site design, and construction practices; and compensatory offsets for adverse impacts.

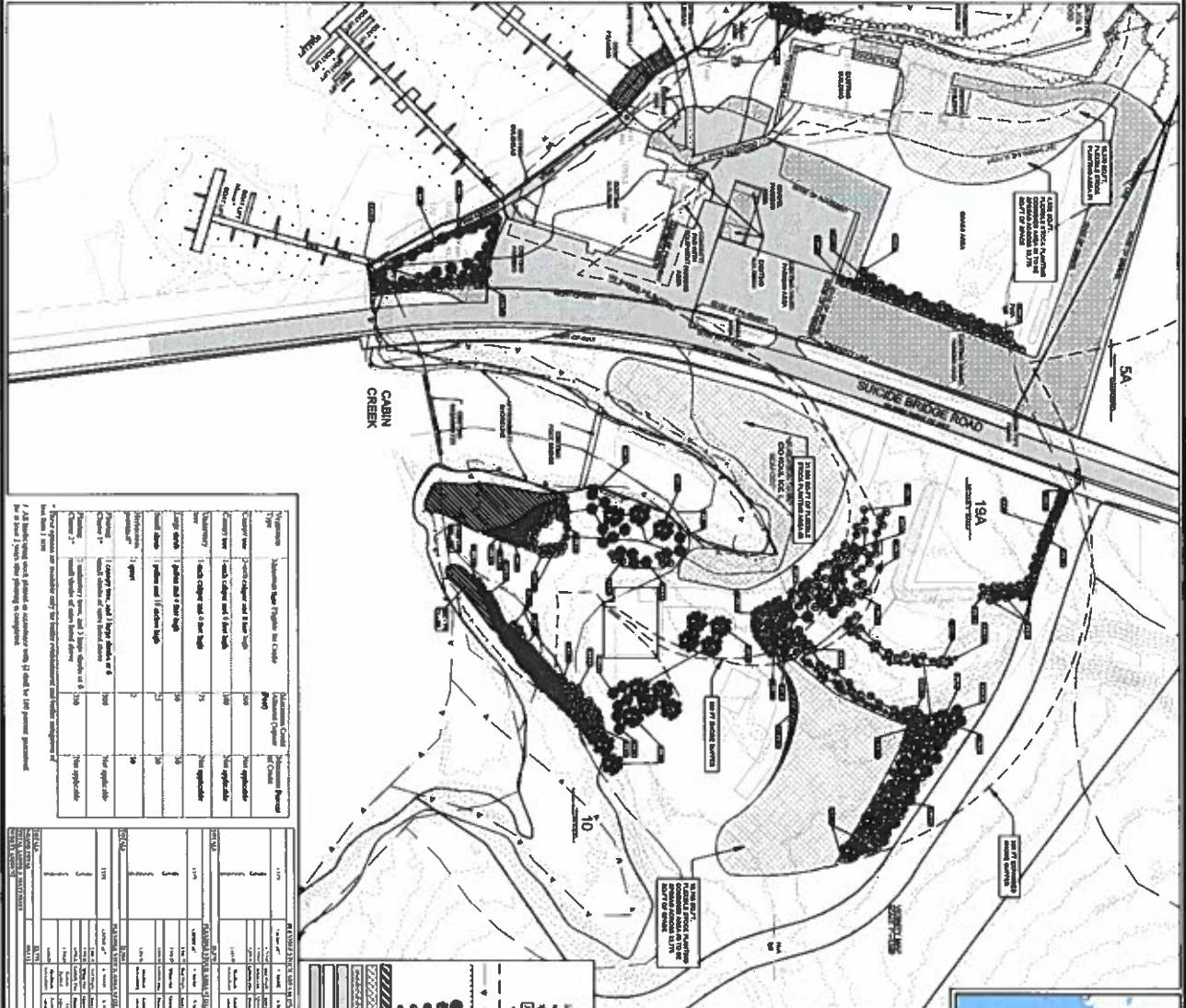
- No comments
- Additional specific comments

The proposed sewer extension includes crossings of tidal wetlands, mapped floodplains, and mapped flood hazard zones. The tidal wetland crossings are currently under review by the Tidal Wetlands Division- the Wetlands and Waterways Program for application 19-WL-0565. The Division has interagency discussions as to whether or not the connection can occur before the Wastewater treatment plant is upgraded.

Authorization from the Wetlands and Waterways Program will be required.



Parcel No.	Area (Acres)	Owner	Use	Notes
19A	1.00	SUICIDE BRIDGE RESTAURANT, INC.	RESTAURANT	EXISTING RESTAURANT
19B	1.00	SUICIDE BRIDGE RESTAURANT, INC.	RESTAURANT	EXISTING RESTAURANT
19C	1.00	SUICIDE BRIDGE RESTAURANT, INC.	RESTAURANT	EXISTING RESTAURANT
19D	1.00	SUICIDE BRIDGE RESTAURANT, INC.	RESTAURANT	EXISTING RESTAURANT
19E	1.00	SUICIDE BRIDGE RESTAURANT, INC.	RESTAURANT	EXISTING RESTAURANT
19F	1.00	SUICIDE BRIDGE RESTAURANT, INC.	RESTAURANT	EXISTING RESTAURANT
19G	1.00	SUICIDE BRIDGE RESTAURANT, INC.	RESTAURANT	EXISTING RESTAURANT
19H	1.00	SUICIDE BRIDGE RESTAURANT, INC.	RESTAURANT	EXISTING RESTAURANT
19I	1.00	SUICIDE BRIDGE RESTAURANT, INC.	RESTAURANT	EXISTING RESTAURANT
19J	1.00	SUICIDE BRIDGE RESTAURANT, INC.	RESTAURANT	EXISTING RESTAURANT
19K	1.00	SUICIDE BRIDGE RESTAURANT, INC.	RESTAURANT	EXISTING RESTAURANT
19L	1.00	SUICIDE BRIDGE RESTAURANT, INC.	RESTAURANT	EXISTING RESTAURANT
19M	1.00	SUICIDE BRIDGE RESTAURANT, INC.	RESTAURANT	EXISTING RESTAURANT
19N	1.00	SUICIDE BRIDGE RESTAURANT, INC.	RESTAURANT	EXISTING RESTAURANT
19O	1.00	SUICIDE BRIDGE RESTAURANT, INC.	RESTAURANT	EXISTING RESTAURANT
19P	1.00	SUICIDE BRIDGE RESTAURANT, INC.	RESTAURANT	EXISTING RESTAURANT
19Q	1.00	SUICIDE BRIDGE RESTAURANT, INC.	RESTAURANT	EXISTING RESTAURANT
19R	1.00	SUICIDE BRIDGE RESTAURANT, INC.	RESTAURANT	EXISTING RESTAURANT
19S	1.00	SUICIDE BRIDGE RESTAURANT, INC.	RESTAURANT	EXISTING RESTAURANT
19T	1.00	SUICIDE BRIDGE RESTAURANT, INC.	RESTAURANT	EXISTING RESTAURANT
19U	1.00	SUICIDE BRIDGE RESTAURANT, INC.	RESTAURANT	EXISTING RESTAURANT
19V	1.00	SUICIDE BRIDGE RESTAURANT, INC.	RESTAURANT	EXISTING RESTAURANT
19W	1.00	SUICIDE BRIDGE RESTAURANT, INC.	RESTAURANT	EXISTING RESTAURANT
19X	1.00	SUICIDE BRIDGE RESTAURANT, INC.	RESTAURANT	EXISTING RESTAURANT
19Y	1.00	SUICIDE BRIDGE RESTAURANT, INC.	RESTAURANT	EXISTING RESTAURANT
19Z	1.00	SUICIDE BRIDGE RESTAURANT, INC.	RESTAURANT	EXISTING RESTAURANT



Item No.	Description	Quantity	Unit	Notes
1	Asphalt Paving	1000	Sq. Yds.	For parking area
2	Gravel Paving	500	Sq. Yds.	For parking area
3	Concrete Paving	200	Sq. Yds.	For parking area
4	Excavation	100	Cu. Yds.	For parking area
5	Backfill	100	Cu. Yds.	For parking area
6	Grass Seeding	100	Sq. Yds.	For parking area
7	Planting	100	Plants	For parking area
8	Site Preparation	100	Sq. Yds.	For parking area
9	Site Grading	100	Sq. Yds.	For parking area
10	Site Erosion Control	100	Sq. Yds.	For parking area

Item No.	Description	Quantity	Unit	Notes
11	Foundation	100	Sq. Yds.	For parking area
12	Foundation	100	Sq. Yds.	For parking area
13	Foundation	100	Sq. Yds.	For parking area
14	Foundation	100	Sq. Yds.	For parking area
15	Foundation	100	Sq. Yds.	For parking area
16	Foundation	100	Sq. Yds.	For parking area
17	Foundation	100	Sq. Yds.	For parking area
18	Foundation	100	Sq. Yds.	For parking area
19	Foundation	100	Sq. Yds.	For parking area
20	Foundation	100	Sq. Yds.	For parking area



REV.	DATE	DESCRIPTION
1	10/10/10	Initial Design
2	11/05/10	Revised Design
3	12/15/10	Final Design

FILE NO.:	1001
PROJECT NO.:	1001
DATE:	10/10/10

**RAUCH**  
 engineering design & development services  
 4800 148th St., Suite 100, Richmond, VA 23234  
 Phone: (804) 771-1111 Fax: (804) 771-1112  
 Website: www.rauchinc.com

BMP SCHEDULES  
 OF THE LABOR OF  
**SUICIDE BRIDGE RESTAURANT, INC.**  
 TAX MAP 12, GRID 17, PARCEL 24  
 FIFTEENTH ELECTION DISTRICT, DORCHESTER COUNTY, MARYLAND  
 PREPARED FOR SUICIDE BRIDGE RESTAURANT









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Larry Hogan  
*Governor*  
Boyd K. Rutherford  
*Lt. Governor*

Charles C. Deegan  
*Chairman*  
Katherine Charbonneau  
*Executive Director*

STATE OF MARYLAND  
CRITICAL AREA COMMISSION  
CHESAPEAKE AND ATLANTIC COASTAL BAYS

May 10, 2022

Susan Webb  
Environmental Planner  
Dorchester County Planning & Zoning  
501 Court Lane, Room 111  
Cambridge, Maryland 21613

Re: **Dorchester County Critical Area Program**  
**Nonwater-Dependent Projects**  
**Bill No. 2022-2**

Dear Ms. Webb:

The purpose of this letter is to officially notify you of the Critical Area Commission's action on the above-referenced amendment to the County's Critical Area Program. On May 4, 2022 the Critical Area Commission concurred with my determination that the text amendment to add the definition of nonwatery-dependent project and language regarding such projects to the Dorchester County Code be reviewed as a refinement to the County's Critical Area Program. I approved this refinement on the same day.

Please note that the refinement must be reflected in the County's Critical Area Program within 120 days of the date of this letter. Please provide a copy of ordinance to the Commission staff when it is available.

Thank you for your time and efforts regarding this program update. If you have any questions or concerns, please contact Alex DeWeese at (410) 260-3479 or alexandra.deweese@maryland.gov.

Sincerely,

A handwritten signature in cursive script that reads "Charles C. Deegan".

Charles C. Deegan  
Chairman



**PARCEL 24  
PROPOSED  
LDA TO IDA  
4.1 ACRES**

**PARCEL 16  
PROPOSED  
RCA TO LDA  
6.86 ACRES**

tabbles'

**EXHIBIT**

**B**

**NOTES:**

1. PARCEL 24 AND PARCEL 16 ARE PROPOSED TO BE ACQUIRED BY SUICIDE BRIDGE RESTAURANT, INC. FOR THE PURPOSES OF DEVELOPING A RESTAURANT AND LODGING FACILITY. THE PROPOSED ACQUISITION IS SUBJECT TO THE REVIEW AND APPROVAL OF THE LOCAL GOVERNMENT AND THE STATE DEPARTMENT OF REVENUE.
2. THE PROPOSED ACQUISITION IS SUBJECT TO THE REVIEW AND APPROVAL OF THE LOCAL GOVERNMENT AND THE STATE DEPARTMENT OF REVENUE.
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SHEET NO.:	48
TITLE:	
DATE:	

REVISIONS	
REV. #	DATE

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OF THE LANDS OF

**SUICIDE BRIDGE RESTAURANT, INC.**

SAL MAP 18 CAD 11, PARCEL 16 & 21

PREPARED FOR SUICIDE BRIDGE RESTAURANT