2020 Comprehensive Plan Amendment to Support a St. Clements Shores Wastewater Treatment Plant Sewer Service Area Including an Approved Priority Funding Area (PFA) Exception in Conjunction with a Proposed St. Clements Shores Wastewater Treatment Plant Expansion

Problem Identification

The St. Clements Shores (SCS) Wastewater Treatment Plant (WWTP), owned and operated by the Metropolitan Commission (MetCom), is being expanded. The existing SCS WWTP currently has a capacity of 100,000 gallons per day (gpd) with current flows of approximately 90,000 gpd. The Plant currently operates under a NPDES Permit that allows the discharge of 175,000 gpd to existing rapid infiltration and spray irrigation fields. The Plant will be upgraded to 200,000 gpd which is the Bay Restoration Funding (BRF) flow in the NPDES permit that was in effect on July 1, 2012. Due to capacity limitations at the existing land disposal sites, the upgraded Plant and land disposal system will be limited to a capacity of 180,000 gpd. The current NPDES Permit will be modified to reflect the change in discharge capacity to the existing land disposal system. The primary reasons for the expansion to the SCS WWTP are:

- To allow lots of record in the Saint Clement Shores Subdivision to connect to public sewer, honoring Resolution 84-22 (Attachment 1). Lots of record with an existing dwelling unit served by an Onsite Sewage Disposal System (OSDS) as well as vacant lots of record may be allowed to connect when additional capacity is available.

- There are developed older homes and non-residential uses in the Saint Clement Shores Subdivision and throughout the St. Clements Shores Wastewater Treatment Plant Sewer Service Area, that are not connected are with OSDS. These older homes are "at risk" due to the age of the OSDS. The OSDS may be functioning adequately now, but it will eventually fail. When an older OSDS fails it may not be possible to construct a replacement OSDS due to high water tables, impermeable soils, or small lot sizes. The alternatives to connection to the St. Clement Shores WWTP may only be to pump and haul.

Since the area around the St. Clement Shores WWTP is not a growth area, a Priority Funding Area (PFA) exception area was approved for a 140 developed but not connected lots by the Smart Growth Coordinating Committee (SGCC) on October 14, 2020.

This was in order for the developed properties that are now on OSDS to be eligible for Bay Restoration Fund Grants when those owners make the decision to connect to the expanded St. Clements Shores WWTP.

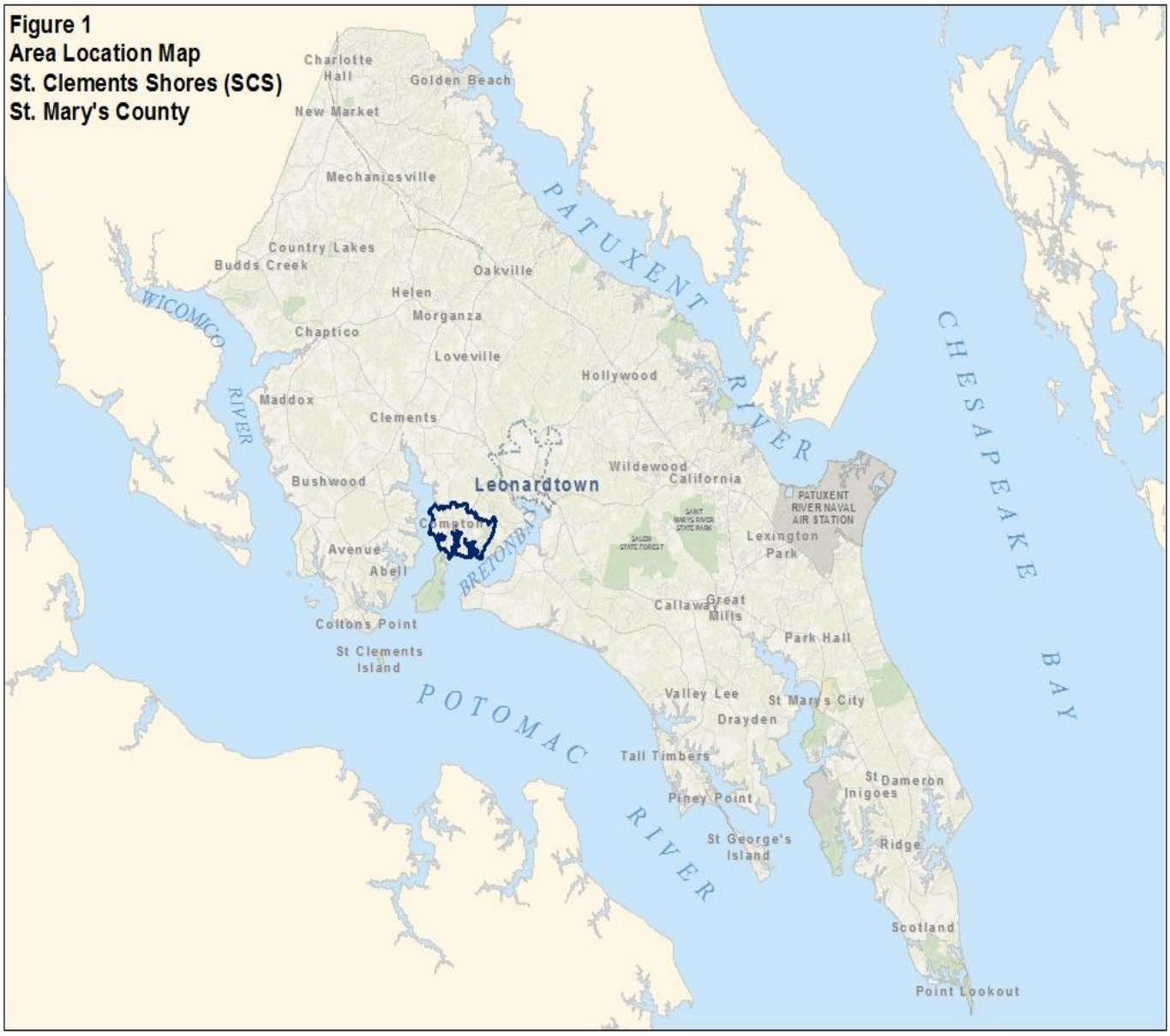
For other vacant and large properties, the St. Mary's County Comprehensive Water and Sewer Plan (CWSP) is being amended to define the available remaining permitted capacity of the existing WWTP. The capacity will be allocated to address existing dwelling units and future development (vacant lots). State funding of the WWTP capacity will be requested for existing and future developments (vacant lots). These will be documented in the text and tables in the CWSP amendment. The Comprehensive Plan is being amended to be consistent with these developments and a Resolution adopted by the Commissioners of St. Mary's County is also necessary as a guide for implementation.

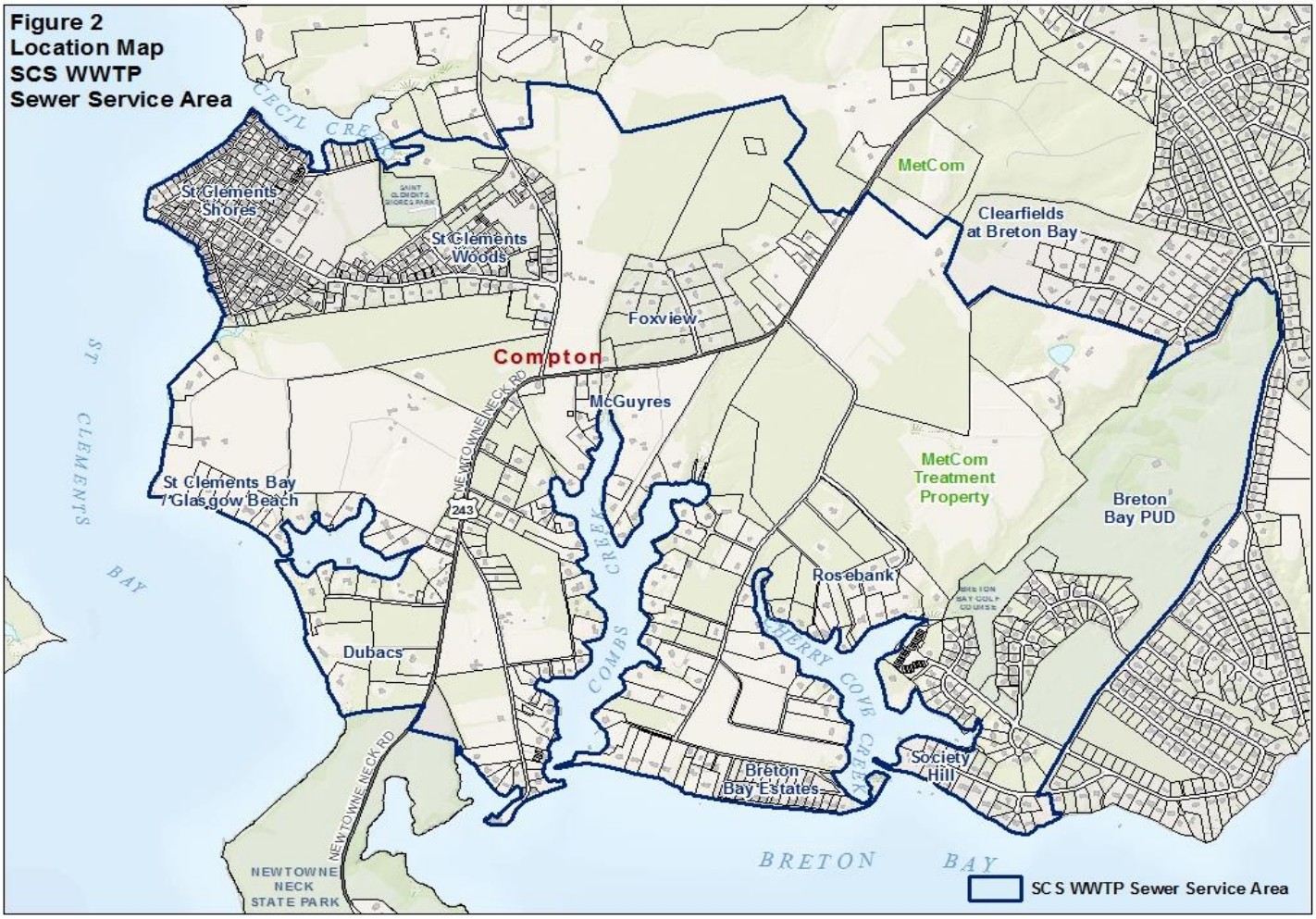
Location

St. Clements Shores WWTP Service Area

The St. Clements Shores WWTP Sewer Service Area (SCS WWTP Sewer Service Area) is located in the Compton community, near Leonardtown. Newtowne Neck Road (MD 243), a state highway, runs through the area and serves the subdivisions of Saint Clement Shores, St. Clement Woods, and Foxview, terminating at St. Francis Xavier Church. St. Clements Bay lies to the west and Breton Bay to the south (see Figures 1 and 2).

There are large farmsteads and open spaces along Newtowne Neck Road. Rosebank Road, (a County local road # 30166) connects MD 243 to the MetCom Treatment Property, Rose Bank / Society Hill, Breton Bay Estates and subdivisions around Cherry Cove Creek. Society Hill Road borders the SCS WWTP Sewer Service Area to the east.





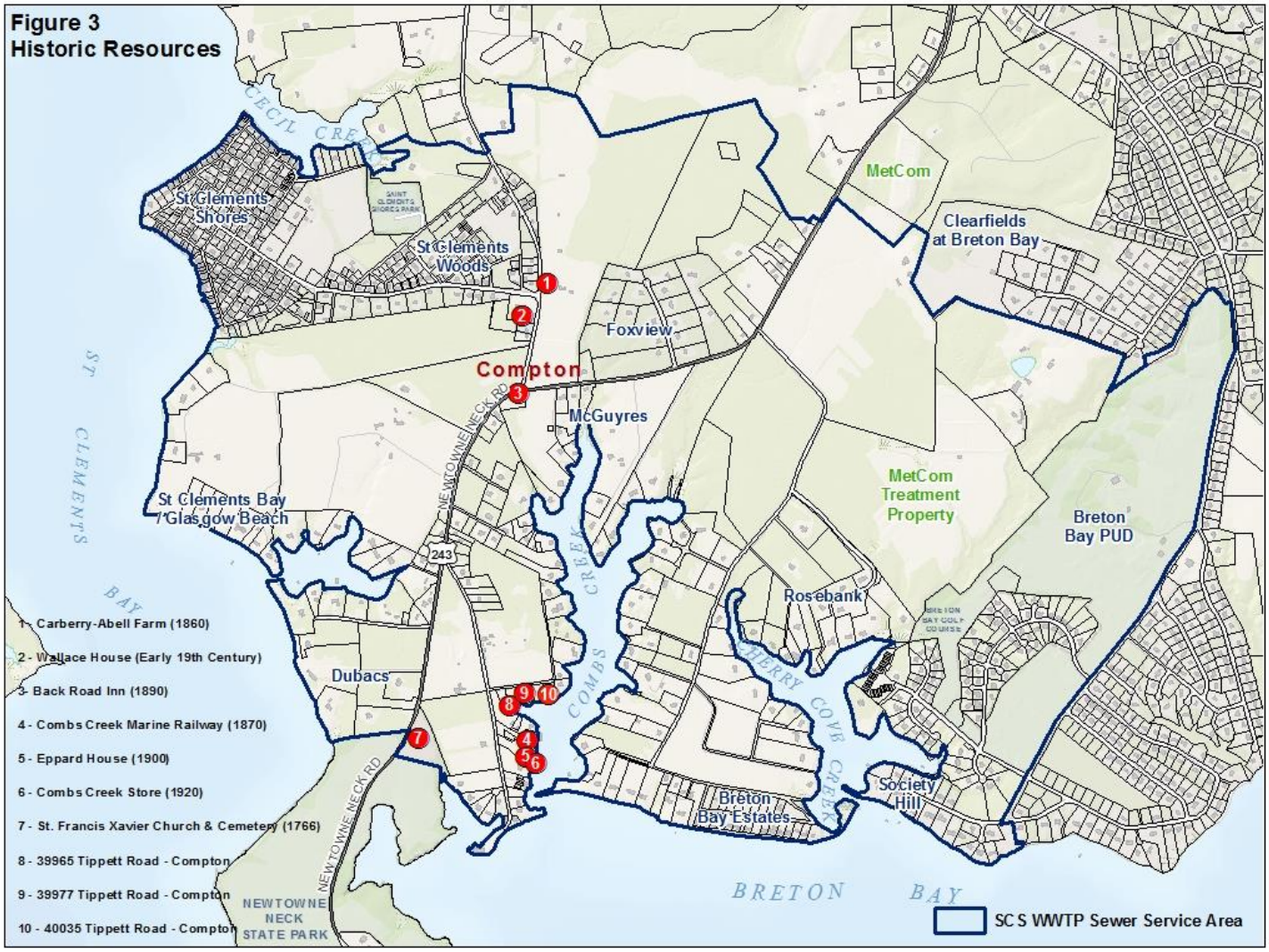
Age and character

The identified historic sites in the SCS WWTP Sewer Service Area are shown on Figure 3. They comprise properties dating from the early 1900s, concentrated in the southern part of the SCS WWTP Sewer Service Area. Historic properties include the Combs Creek Store, 1920; the Combs Creek Marine Railroad, built in 1870; and historic dwellings.

In addition to the historic marine oriented properties are other historic properties in Compton.

These are the Back Road Inn (now Cryer's Back Road Inn), ca. 1890; Carberry-Abell Farm, ca. 1860; and the Wallace House ca. 1943. All the properties shown in Figure 3 are included in the Maryland Inventory of Historic Properties.

To the west of Combs Creek and located by Newtowne Neck Road is the St. Francis Xavier Church, ca. 1766, and Cemetery, ca. 1661, properties listed in the National Register of Historic Places.

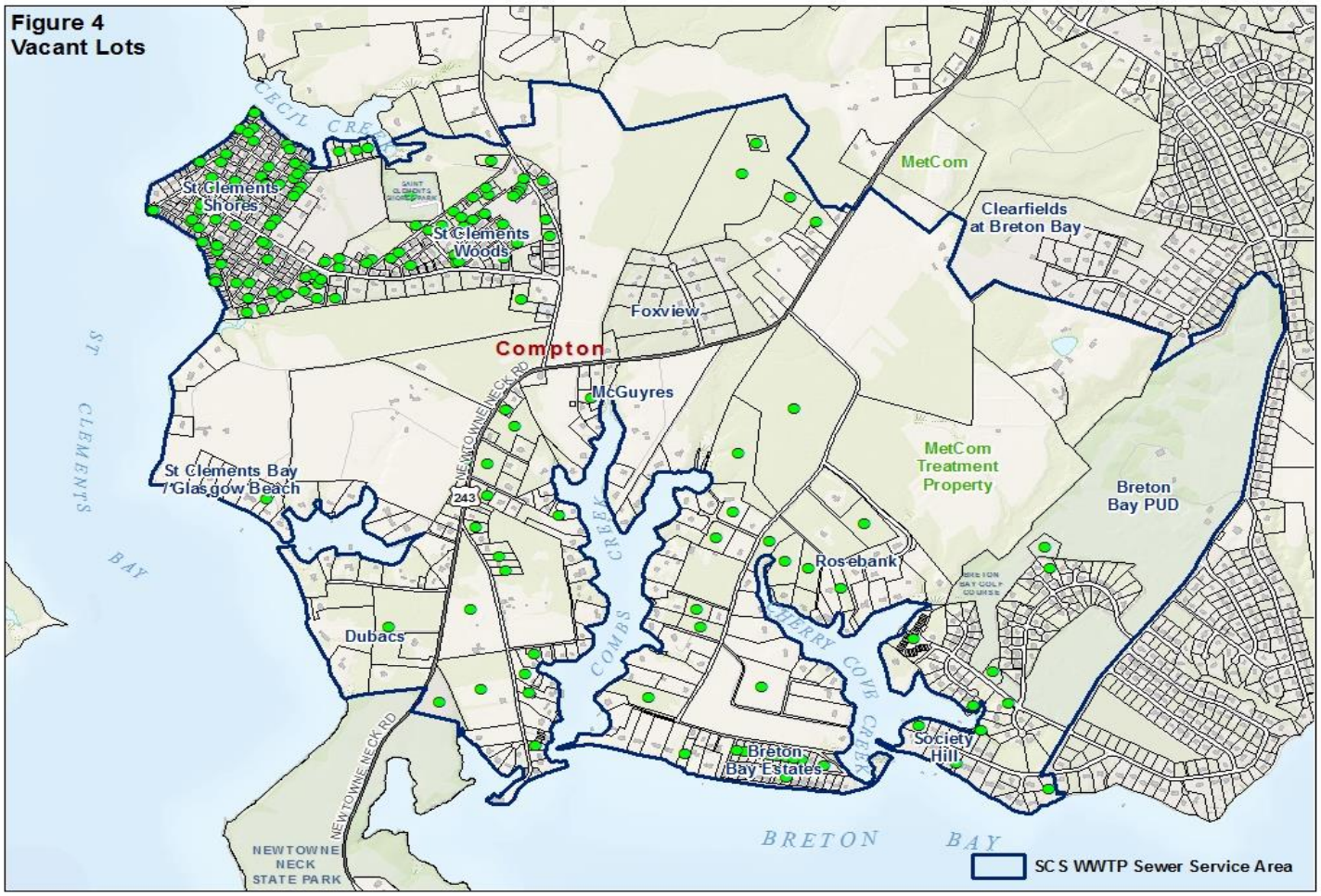


Subdivisions within the SCS WWTP Sewer Service Area date from the 1920s. Saint Clement Shores was platted in 1926, followed by St. Clement Woods Section 1 in 1930 and Section 2 in 1931. The earliest plat for Society Hill was recorded in 1960, with additional plats in 1969 and 1971. Foxview Estates was platted in 1989 and 1992. The Glasgow Subdivision plat was recorded in 1993. Most of the houses in the SCS WWTP Sewer Service Area are in the Saint Clement Shores, St. Clement Woods, Foxview Estates, and Society Hill subdivisions. There are scattered single family dwellings outside these subdivisions.

A restored old Back Road Inn, (now Cryer's Back Road Inn) is shown in the picture below.

Vacant lots in the St. Clements Shores Wastewater Treatment Plant Sewer Service Area

There are vacant lots interspersed among existing homes in the St. Clement Shores and St. Clement Woods subdivisions and in the other areas in the SCS WWTP Sewer Service Area. There are 158 vacant lots and 667 developed lots in the SCS WWTP Sewer Service Area. Figure 4 shows the vacant lots; Figures 5 and 6 show developed lots.



Vacant lots are more numerous in the Saint Clement Shores and St. Clement Woods subdivisions. Others are scattered along Newtowne Neck Road, with a few in the Rosebank area and the Society Hill subdivision. In some areas the vacant lots have significant amounts of vegetation. Vacant lots include irregularly shaped parcels and narrow rectangular parcels abutting developed properties.

Developed Lots Connected and Not Connected to the St. Clements Shores Wastewater Treatment Plant

Of the 667 developed lots in the SCS WWTP Sewer Service Area, 527 lots are connected to the WWTP and 140 are not connected. Most of the connections, 215, are in the Saint Clement Shores subdivision. The St. Clement Woods Subdivision has 72 lots connected, and the Breton Bay PUD has 117 lots connected. Other dwelling units that are connected are in the Foxview subdivision and Rosebank area along Joe Hazel Road and Rosebank Road, along the west side of Combs Cove, and beyond the Dubac properties.

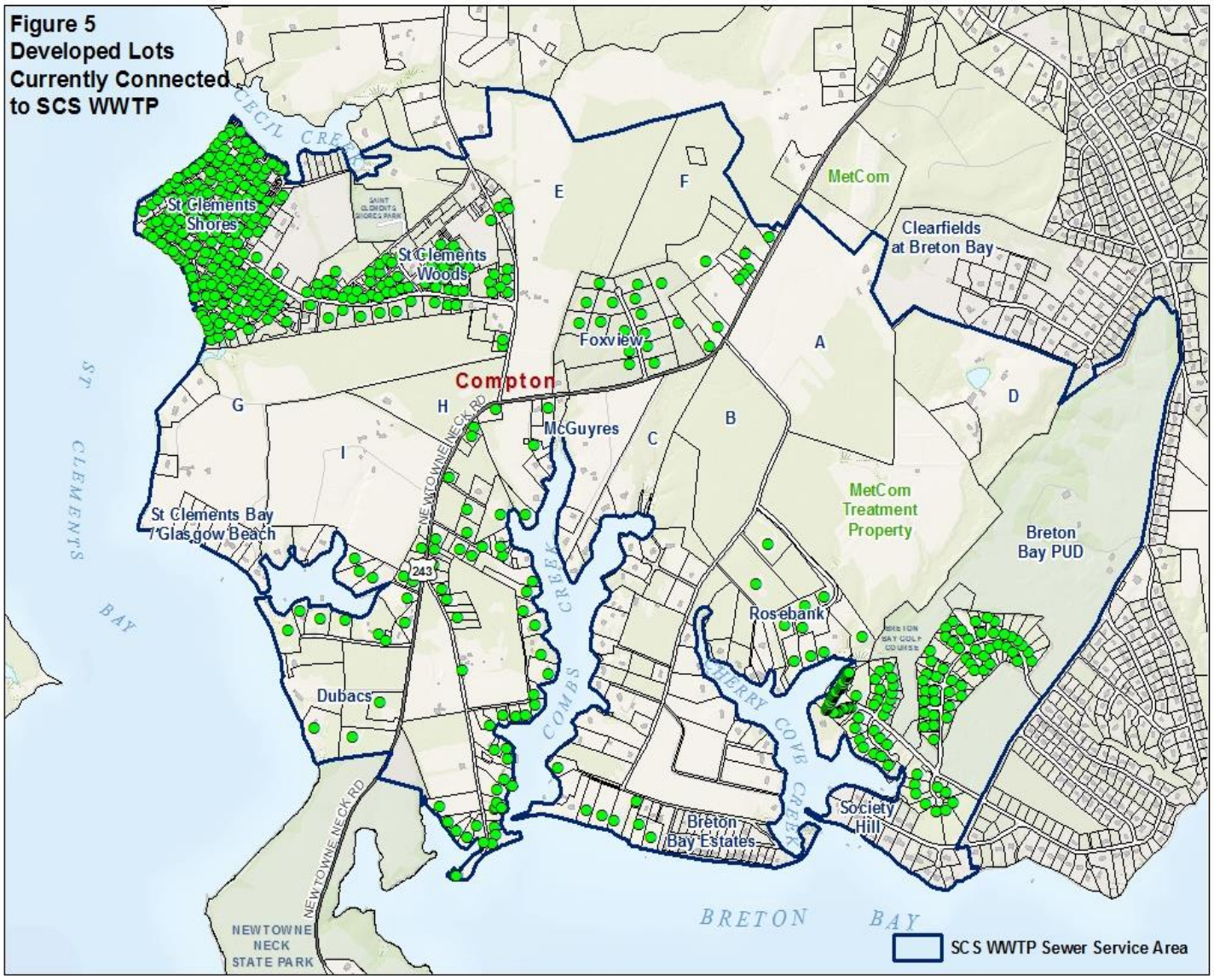


Table 1- SCS WWTP Sewer Service Area – Quantification of Vacant and Developed Lots						
Issue and Description	**Total in Service Area**	**St Clements Shores (SCS) Subdivision**	**St Clements Woods (SCW) Subdivision**	**Breton Bay PUD**	**Others in Service Area**	**Others outside/near Service Area**
No of Platted Lots	**825**	**276**	**118**	**126**	**305**	**821**
Platted lots with houses	**667**	**217**	**80**	**119**	**251**	**713**
Vacant lots	**158**	**59**	**38**	**7**	**54**	**108**
Developed Lots connected to WWTP	**527**	**215**	**72**	**117**	**123**	**0**
Developed Lots Not connected to WWTP	**140**	**2**	**8**	**2**	**128**	**713**

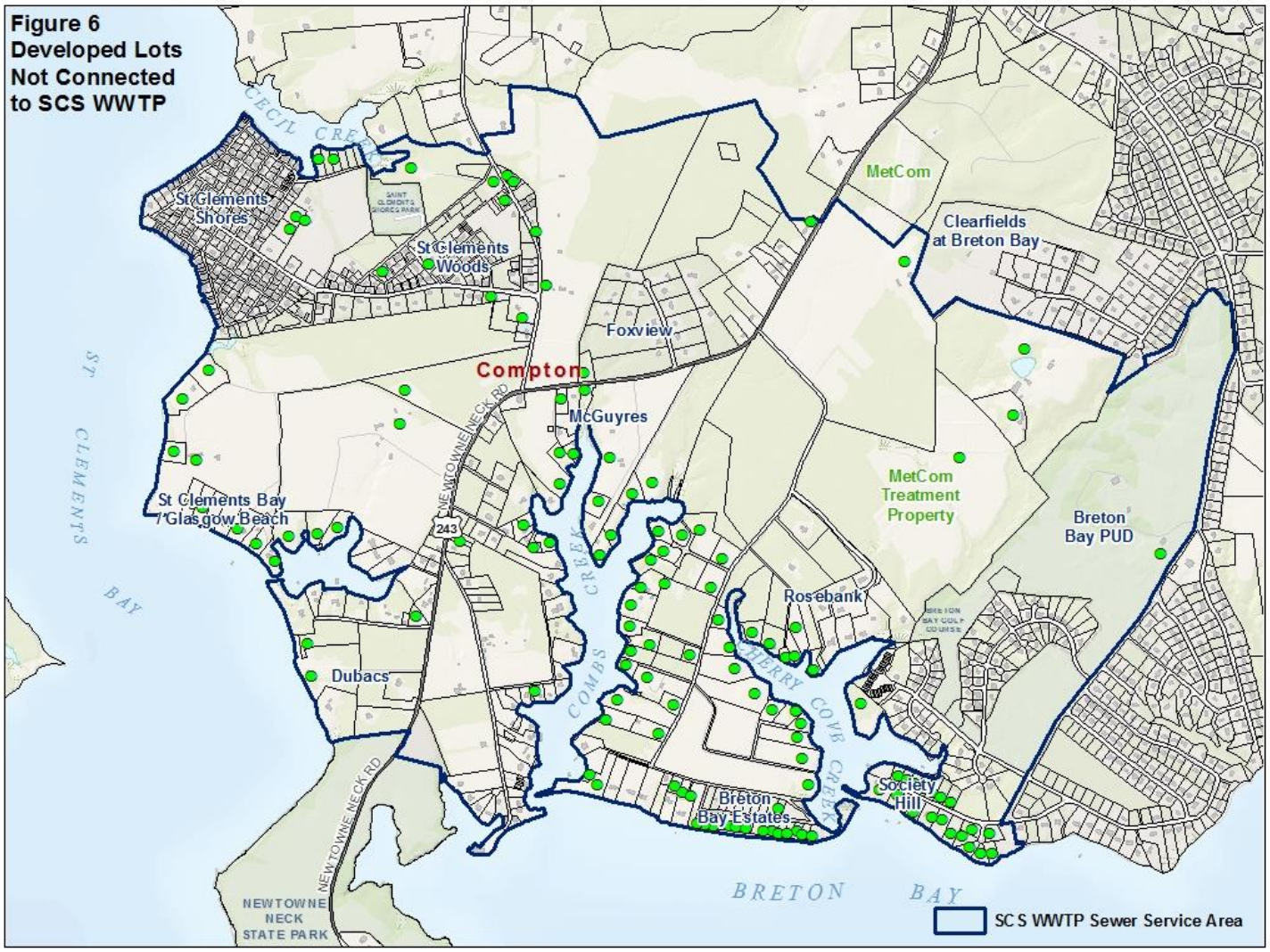
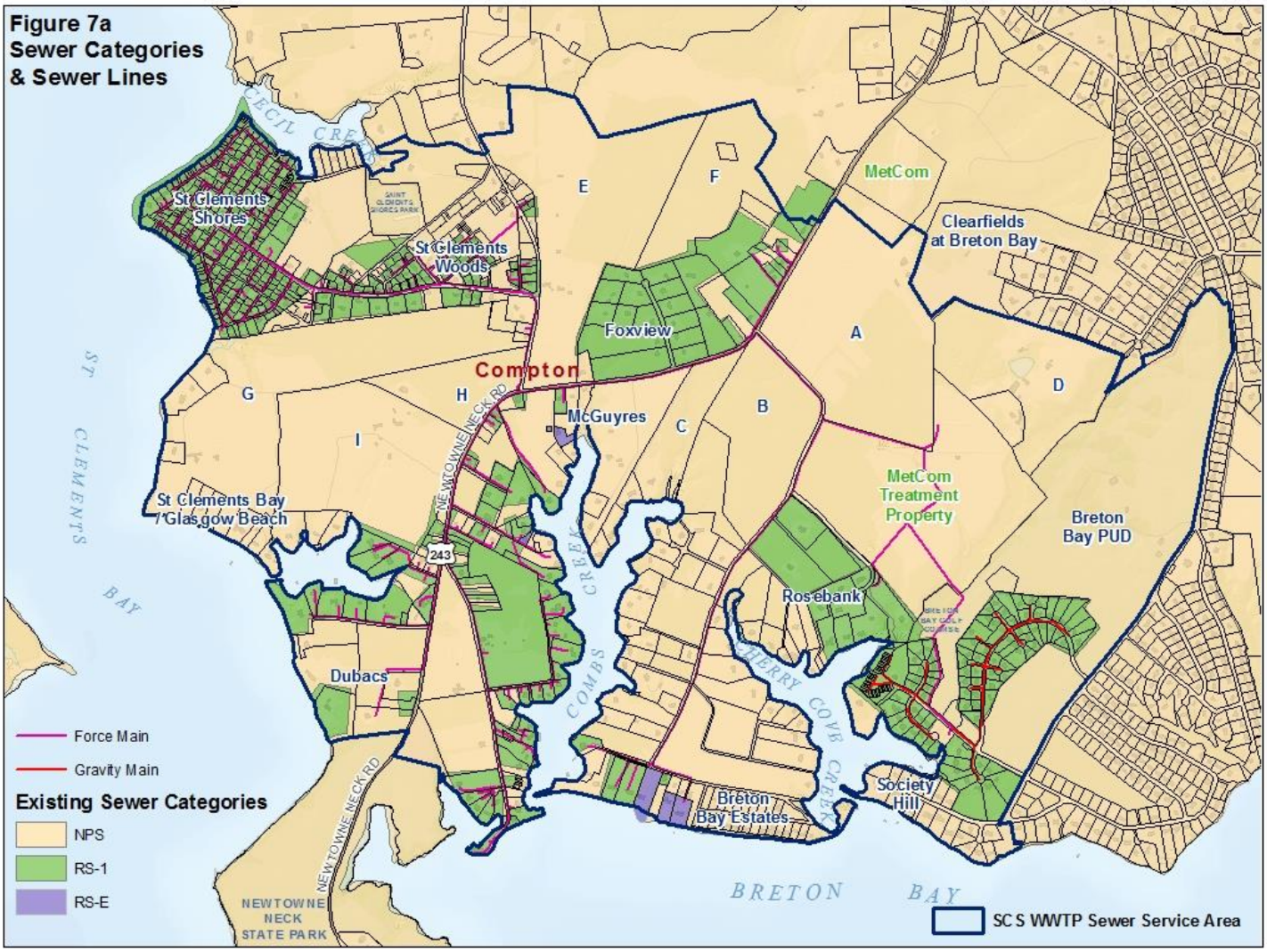


Figure 6 shows the location of approved PFA Exception for developed lots not connected to the St. Clements Shores Wastewater Treatment Plant.



The sewer lines are located primarily along Newtowne Neck Road, Rosebank Road, and Lady Baltimore Avenue. Properties that are connected to the St. Clements Shores WWTP are sewer categories RS-1 or RS-E, indicating the property is in a rural service area and is currently served or connected to address a public health or environmental hazard (CWSP 2017 update page 1-8). As shown in Figure 7, the properties in the SCS WWTP Sewer Service Area are RS-1, shown in green; RS-E, shown in blue; or no planned service, tan. The sewer categories in the SCS WWTP Sewer Service Area will all be changed to sewer category S-1 in the amendment to the CWSP accompanying the 2020 Comprehensive Plan Amendment. S-1 means a sewer line is existing or under construction and the sewer line will be placed in operation immediately after construction is completed (CWSP 2017 update page 1-7), or the line is to be installed within ~~a~~ sewer service area.

S-1 in the SCS WWTP Sewer Service Area means:
1. The existing structure on the property is already connected to the publicly owned wastewater treatment plant.
2. An existing structure within the SCS WWTP Sewer Service Area that has not been connected to the wastewater treatment plant is entitled to an allocation of one EDU.
3. An undeveloped lot of record within the SCS WWTP Sewer Service Area is eligible for an allocation of at least one EDU because it is located within the SCS WWTP Sewer Service Area.

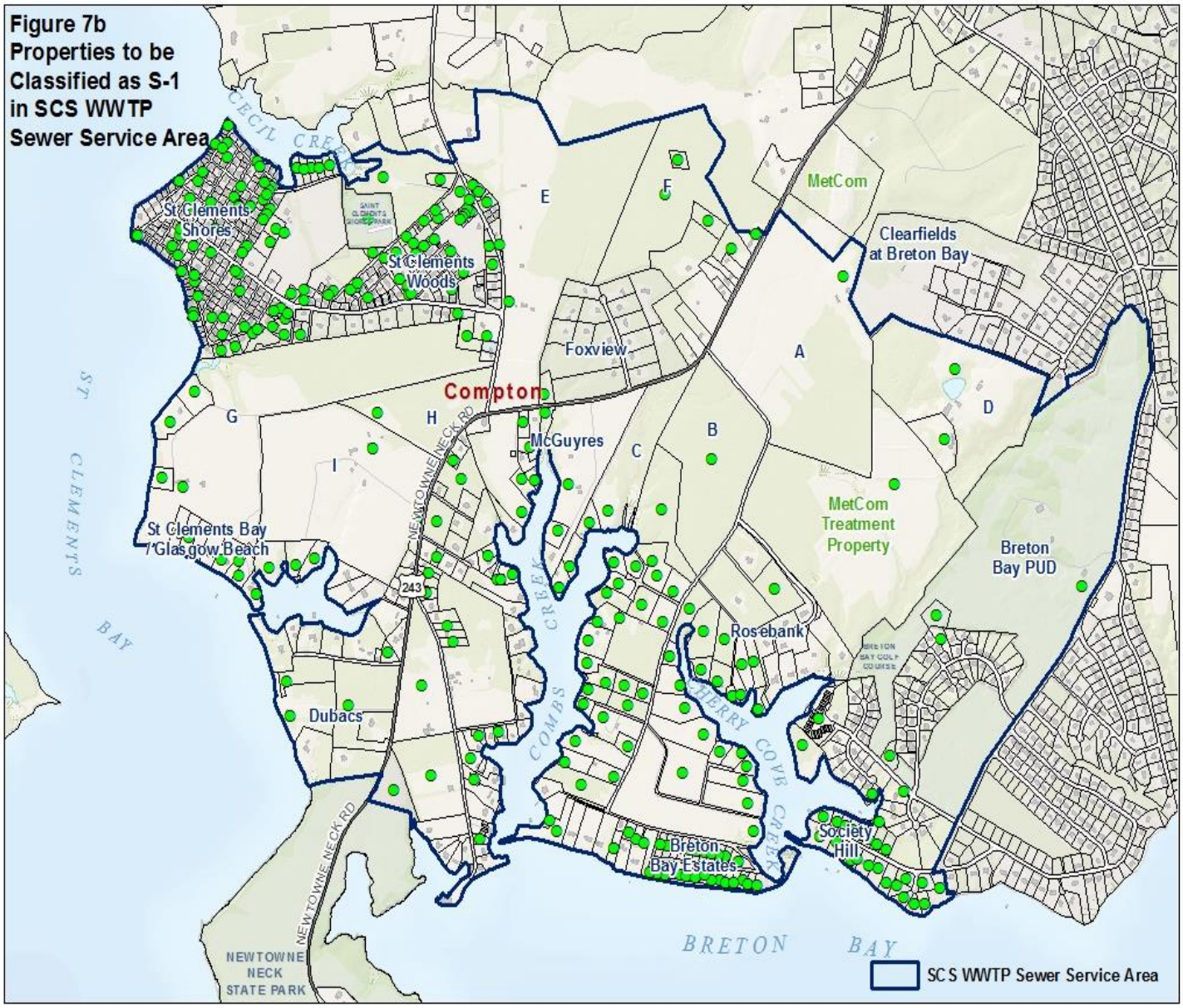
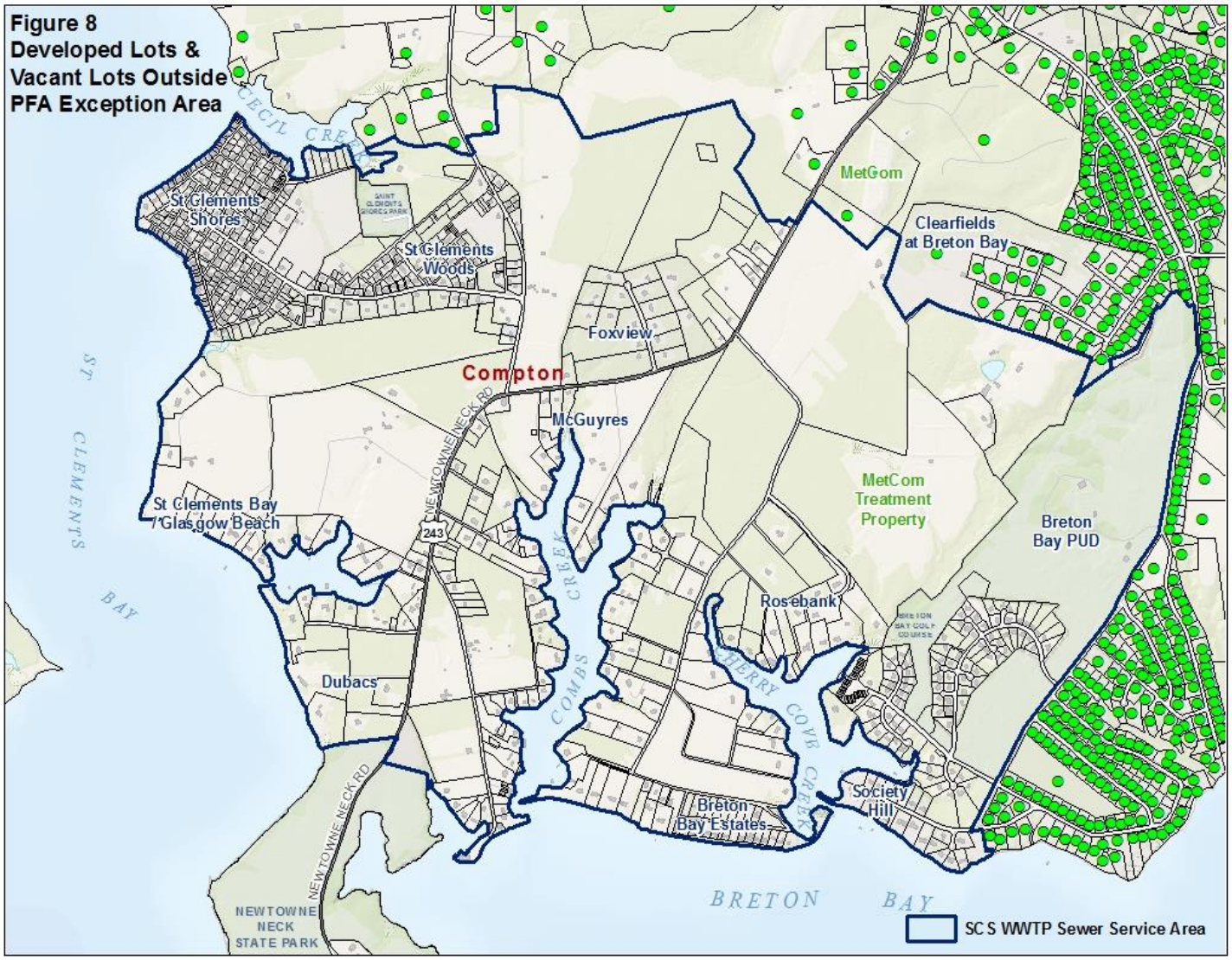
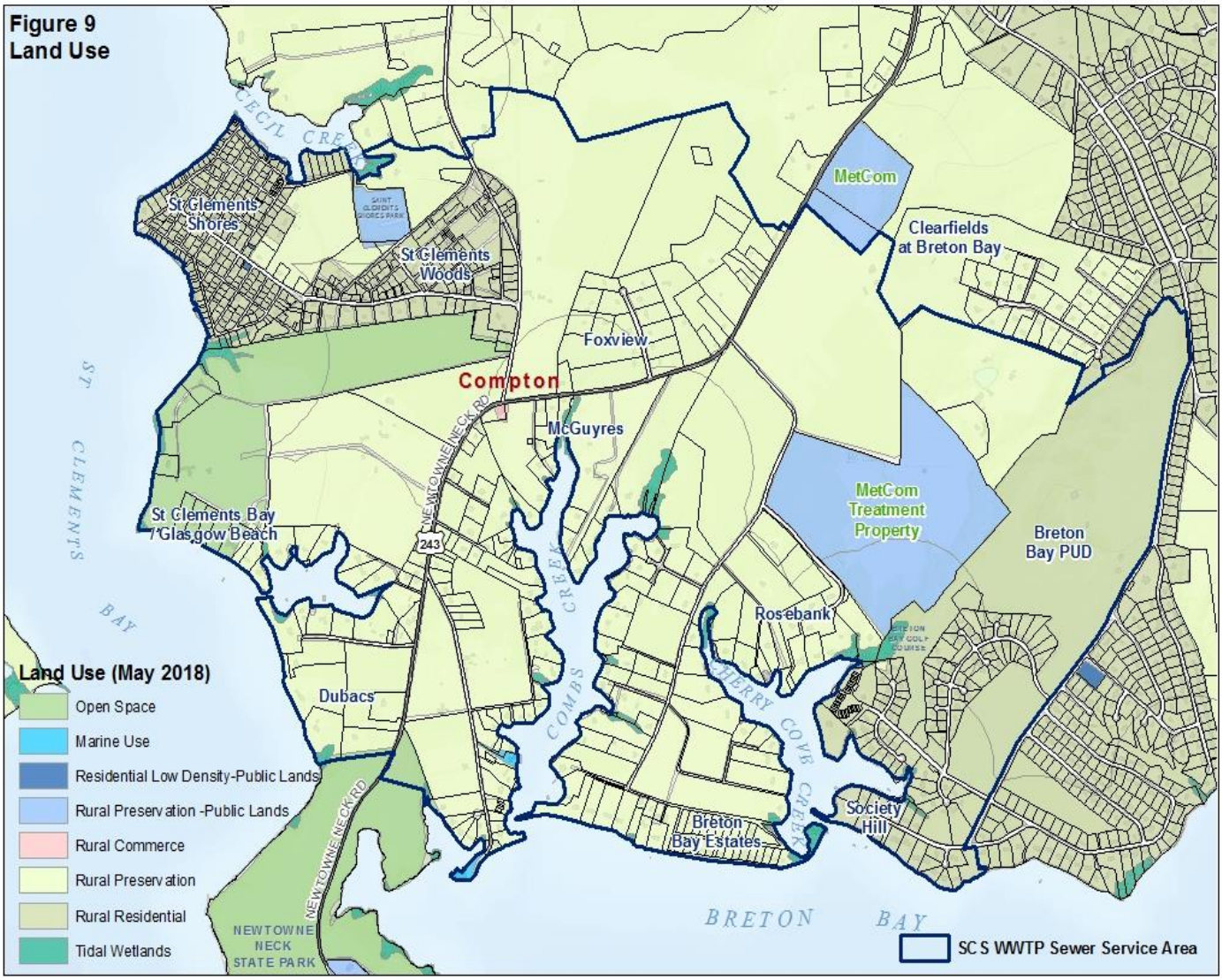


Figure 7b shows the locations of 140 developed lots on an OSDS and 158 vacant platted lots in the SCS WWTP Sewer Service Area. The 140 developed lots and the 158 vacant platted lots will be changed to sewer category S-1 in the amendment to the CWSP.

There are 108 vacant lots and 713 lots with houses east and north of the Breton Bay PUD, outside the SCS WWTP Sewer Service Area. None of the houses are connected to the St. Clements Shores WWTP. The locations of the properties are shown in Figure 8.





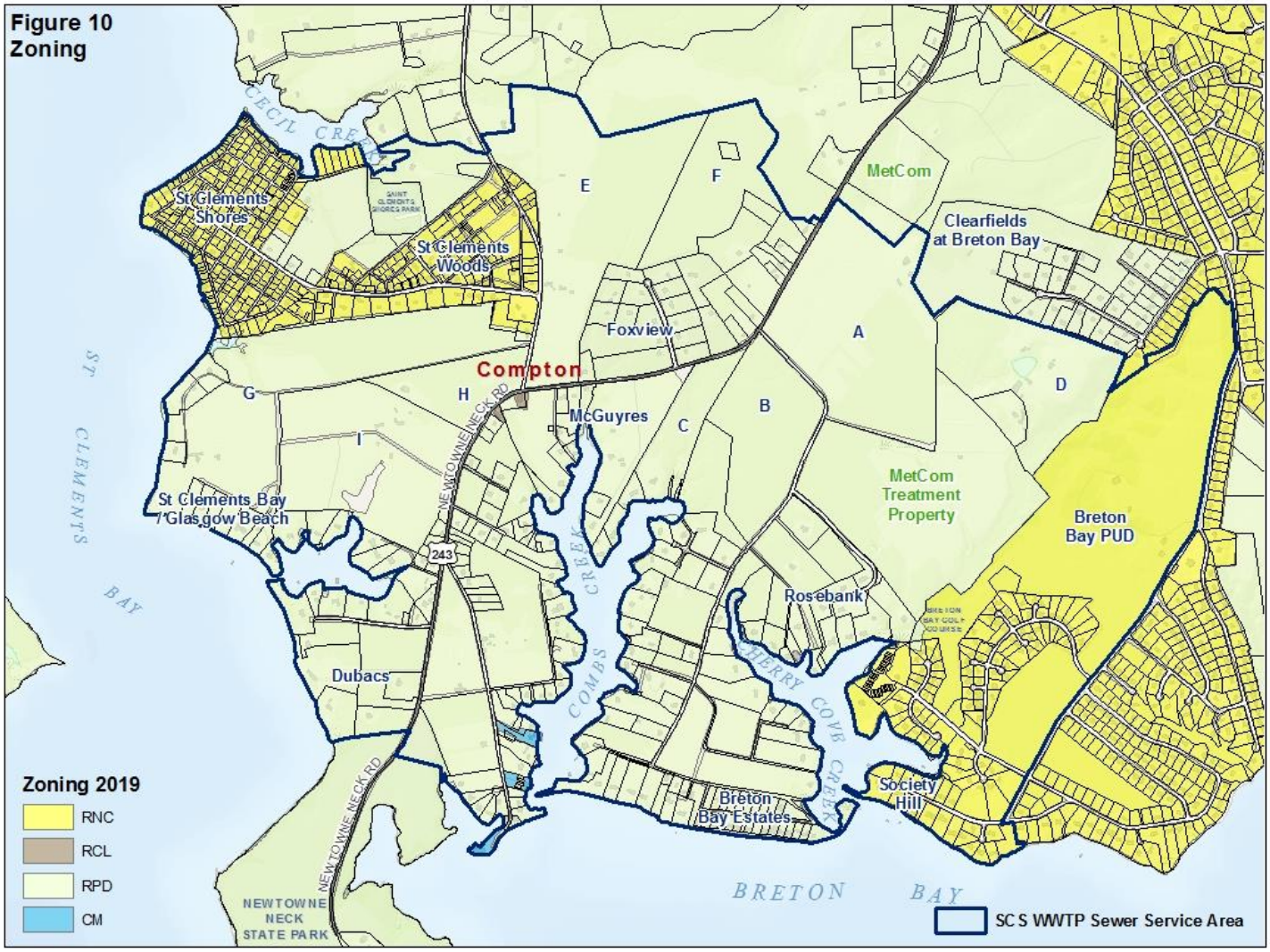
St. Clements Shores Wastewater Treatment Plant Sewer Service Area– Land Use Plan Concept

Low-density residential development predominates in the SCS WWTP Sewer Service Area. The St. Mary's County Comprehensive Plan (Comprehensive Plan), Quality of Life in St. Mary's County: A Strategy for the 21st Century (Adopted: March 23, 2010; Effective: April 6, 2010) on (page 3-6): describes the SCS WWTP Sewer Service Area as:

> "*Established areas, predominately residential, where the existing development patterns and neighborhood character are to be maintained; includes communities with concentrations of structures with historic designation; limited infill development is allowed consistent with the existing patterns and character within its respective district*."

Portions of the SCS WWTP Sewer Service Area are a Neighborhood Conservation District, a "Protected Area" in the Comprehensive Plan, Land Use Plan Concept (page 3-6), emphasizing that the existing patterns, character, and density are to be maintained. The majority of the SCS WWTP Sewer Service Area is Rural Preservation District (RPD) in the Comprehensive Plan. RPD in the Comprehensive Plan allows "low density nonfarm residential developments characteristic of the county's rural character which are to be preserved for a wide range of economic

and aesthetic purposes" (Comprehensive Plan page 3-6). The land use plan for the SCS WWTP Sewer Service Area preserves the existing community character and is consistent with the land use as described in the Comprehensive Plan.



SCS WWTP Sewer Service Area Zoning

Residential Neighborhood Conservation (RNC) zoning characterizes the Saint Clement Shores, St. Clement Woods, and Breton Bay PUD subdivisions. RNC zoning is "intended to preserve the character of established neighborhoods while providing opportunities for infill development that is consistent with and enhances the prevailing character" (CZO 31.7, page 31-7).

Other zoning districts include: The Rural Preservation District, which allows low-density residential development "subject to performance standards that maintain the rural character of the district in recognition of the fact that a full range of public facilities is not provided or planned," (CZO 31.1, page 31-1). The Rural Commercial Limited (RCL) "accommodates existing, small-scale commercial uses serving localized markets in the County that are scattered along the highways and, in some cases, clustered at intersections. Where such existing uses are compatible in scale with the character of the rural area, and are devoted to a local market, their continued operation and opportunity for reasonable expansion is consistent with the policies of the Comprehensive Plan" (CZO 31.3, pages 31-1 – 31-2). An example of this type of use in the SCS WWTP Sewer Service Area is the Cryer's Back

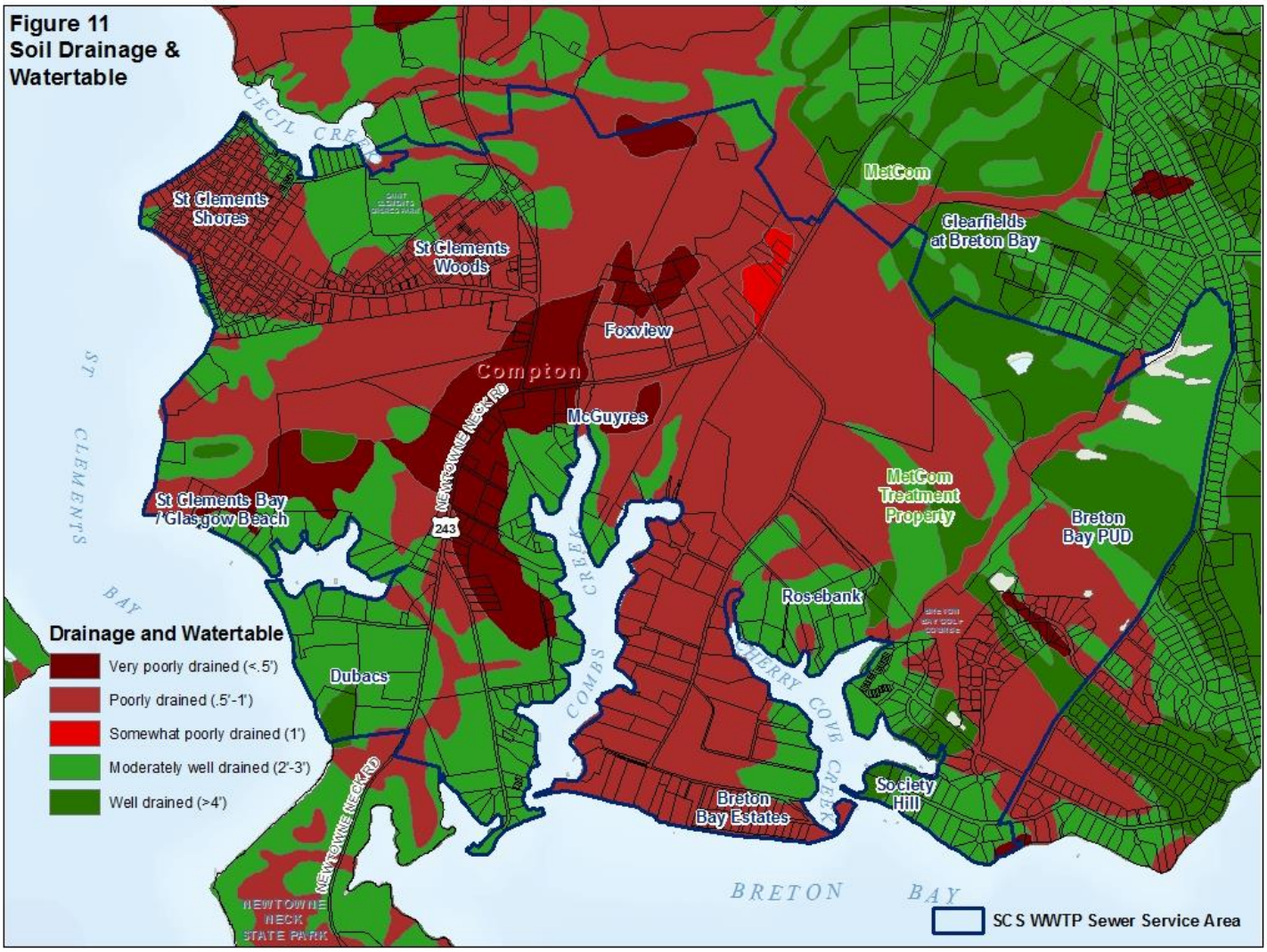
Road Inn. The Commercial Marine (CM) district "provides a full range of marine sales, services, visitor accommodations, food and beverage sales and eating and drinking establishments" (CZO 31.16, page 31-3).

SCS WWTP Sewer Service Area – Land Use and Zoning

Land use and zoning classifications in the SCS WWTP Sewer Service Area are shown below.

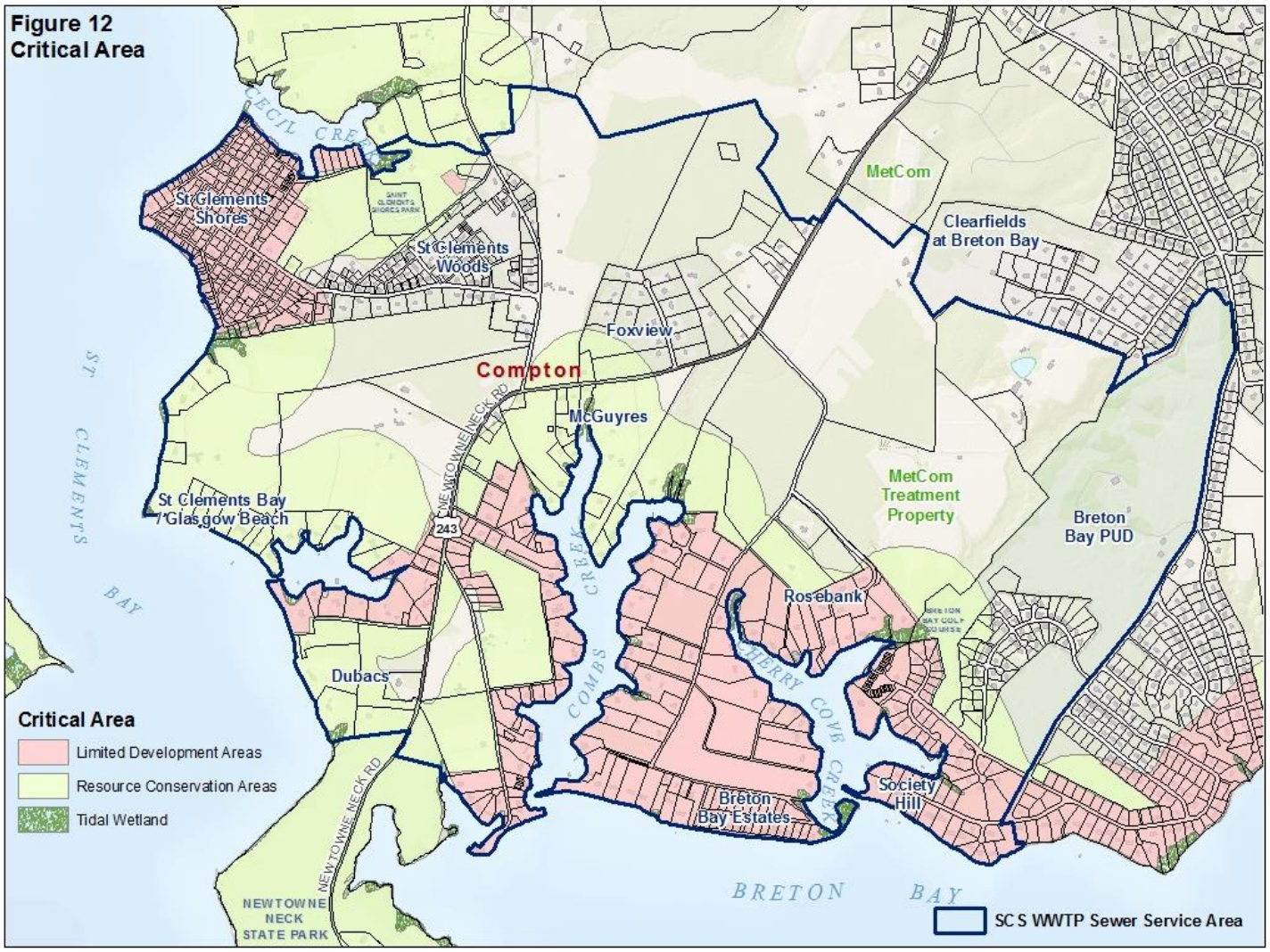
SCS WWTP Sewer Service Area	LAND USE	ZONING
Saint Clement Shores	Rural Residential, Rural Preservation, Rural Residential Public Land, Tidal Wetland, Rural Preservation Open Space	Residential Neighborhood Conservation (RNC) Rural Preservation District (RPD
St. Clement Woods	Rural Residential	Residential Neighborhood Conservation (RNC)
Cherry Cove	Rural Preservation Rural Residential	Rural Preservation District (RPD)
Combs Creek	Rural Preservation Marine Use	Rural Preservation District (RPD) Commercial Marine District (CM)
Catholic Church Cemetery Property	Rural Preservation /Public Open Space	Rural Preservation District (RPD)
Glasgow Beach	Rural Preservation	Rural Preservation District (RPD)
Breton Bay Estates	Rural Preservation	Rural Preservation District (RPD)
Society Hill	Rural Preservation	Rural Preservation District (RPD)
Rosebank Properties	Rural Preservation	Rural Preservation District (RPD)
Mcguyres Property	Rural Preservation	Rural Preservation District (RPD)
James Cryer Property	Rural Commerce / Rural Preservation	Rural Preservation District (RPD)
Foxview	Rural Preservation	Rural Preservation District (RPD)
Dubacs	Rural Preservation	Rural Preservation District (RPD)
Large Properties	**See Figure 9**	**See Figure 10**
A-99 acres	Rural Preservation	Rural Preservation District (RPD)
B-49 acres	Rural Preservation	Rural Preservation District (RPD)
C-22 acres	Rural Preservation	Rural Preservation District (RPD)
D-58 acres	Rural Preservation	Rural Preservation District (RPD)
E-107 acres	Rural Preservation	Rural Preservation District (RPD)
F-40 acres	Rural Preservation	Rural Preservation District (RPD)
G-104 acres	Rural Preservation / Rural Preservation Open Space	Rural Preservation District (RPD)
H-24 acres	Rural Preservation	Rural Preservation District (RPD)
I-82 acres	Rural Preservation	Rural Preservation District (RPD)

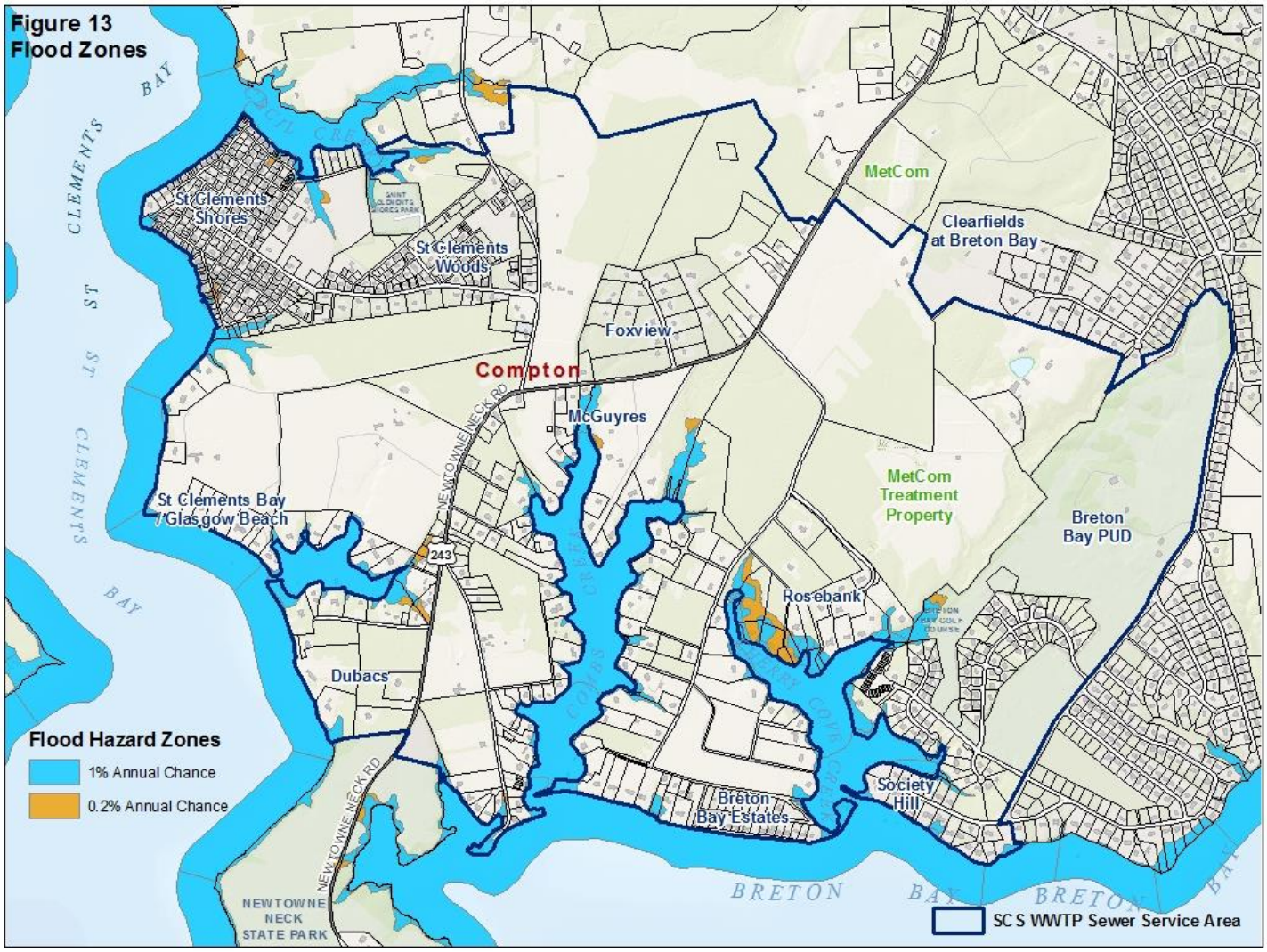
As noted in the large properties category in the land use and zoning classification, the SCSWWTP Sewer Service Area includes nine properties between 22 and 107 acres. Most of these properties (as shown in the picture below) are or were farm fields or are now forested areas. All are in the RPD zoning district.



Information from the United States Department of Agriculture, Natural Resources Conservation Service, Web Soil Survey was accessed for the SCS WWTP Sewer Service Area. The category Septic Tank Absorption Fields, Maryland, shows the entire SCS WWTP Sewer Service Area as very limited, meaning that the soil is unfavorable for the specified use: "Poor performance and high maintenance can be expected." Even areas with moderately and well drained soils are limited by the shallow groundwater levels and cannot adequately support an OSDS. The land within the SCS WWTP Sewer Service Area is not suitable for OSDSs. The existing OSDSs SCS WWTP Sewer Service Area are probably contributing to groundwater contamination. A poorly functioning OSDS is a potential risk to human health.

The Critical Area Overlay and tidal wetlands are shown in Figure 12. St. Clements Bay, Breton Bay, Combs Creek, and Cherry Cove Creek are sensitive environmental areas with tidal wetlands.





The flood hazard areas as mapped by the Federal Emergency Management Agency (FEMA) are shown in Figure 13. FEMA describes a flood as a temporary condition of partial or complete inundation of two or more acres of normally dry land area or of two or more properties from the overflow of tidal waters.

Seven properties in the Rosebank area are in the 1% annual chance flood hazard category. The 1% annual chance flood is also referred to as the base flood or 100-year flood. The 1% annual chance flood means there is a 1 in 100 probability of experiencing a flood in any given year, based on a frequency analysis of past flood events over 10 or more years. Areas in this category are identified on the FEMA Flood Insurance Rate Maps (FIRMs) and are referred to as special flood hazard areas.

Five properties also in the Rosebank area are in the 0.2 % annual chance flood hazard area. The 0.2% is an estimate that in any given year there's a 1-in-500 (0.2 percent) chance a flood will occur in this area.

A few properties in the McGuyres, Saint Clement Shores, and Society Hill subdivisions are between the 1% and 0.2% flood hazard areas.

OSDSs in these flood prone zones can be buried, destroyed or displaced during floods. Damage to these systems can release their contents to into nearby waters.

Justification for the Plan Amendment

- The amendment has been carefully written to promote rural character by continuing to control residential density in conformance with the Comprehensive Plan.
- Development in the Rural Residential land use category, such as in Society Hill, includes limited amounts of appropriately designed residential uses that are compatible with rural and community character through preserving open space and limiting impacts to environmentally sensitive areas (2010 Comprehensive Plan page 4-25).
- Properties in the Saint Clement Shores Subdivision will be allowed to connect to the expanded St. Clements Shores Wastewater Treatment Plant based on Resolution 84-22.
- Existing lots of record in the SCS WWTP Sewer Service Area, as they are recorded on the most recent plat at the time the Comprehensive Water and Sewerage Plan amendment for the St. Clements Shores Wastewater Treatment Plant Phase B Upgrade is adopted may be allowed to connect and develop. Treatment capacity will have to be available and these properties will have to follow all applicable County and State regulations.
- Through the amendment to the Comprehensive Water and Sewerage Plan for the St. Clements Shores Wastewater Treatment Plant Phase B Upgrade: Existing lots of record will not be allowed to subdivide without approval by the Planning Commission; and small lots of record may be allowed to combine when necessary for development that will be consistent with the character of the area with approval of the Planning Commission.
- Allowing existing OSDSs to connect to an expanded St. Clements Shores WWTP will protect public health and improve water quality in adjacent tidal waters. Adopting the SCS WWTP Sewer Service Area addresses the issue of OSDS failures (that is, the eventual failure of OSDSs serving existing houses given the limitations of poor soils, high water tables, and small lot sizes). Houses currently utilizing an OSDS in environmentally sensitive locations within the Critical Area will be eligible for Bay Restoration Fund (BRF) grants.
- Due to impermeable soils, high water tables, and small lots, replacement OSDSs are not possible for many properties with existing development. Lots of record may not be able to develop using an OSDS.
- A MetCom-owned sewer treatment plant with enhanced biological nutrient removal (BNR) achieves significant nitrogen reduction.

Assumptions

A. The OSDS failures within the SCS WWTP Sewer Service Area have not been corrected or reported to the Health Department because a replacement OSDS on the property is not possible because of impermeable soils, high water table, or small lot size. The owner must wait until the St. Clements Shores WWTP has been expanded. Another alternative may be to replace the failing OSDS with an off-site OSDS constructed on a separate lot of record under the same ownership as the developed residential or non-residential property. Otherwise, pump and haul may be the only alternative.

B. Owners of properties with an adequately functioning OSDS may have some of the following options with regard to the eventual, but inevitable, need for continued sewage treatment:

If a replacement OSDS on the property is possible, or with an off-site OSDS constructed on a separate lot of record under the same ownership as the developed residential or non-residential property, the owner is choosing when to install the new system. If the property is within the Critical Area the replacement will require the installation of a Best Available Technology (BAT) unit in conjunction with the replacement system. Outside the Critical Area the OSDS may or may not require a BAT unit.

If a replacement OSDS on the property is possible, but the owner prefers to connect to the St. Clements Shores WWTP, the owner is waiting until the plant has been expanded.

C. Some of the lots of record or parcels may be undeveloped because of reasons unrelated to sewage treatment. Some may be able to develop using an OSDS and will develop based on the timing decision of the owner.

D. Allowing existing OSDSs to connect to an expanded St. Clements Shores WWTP will protect public health and improve water quality in adjacent tidal waters. This is because the treatment process in the plant removes more nitrogen than an OSDS does, including BAT units. The St. Mary's County Health Department may be able to award Bay Restoration Fund (BRF) grants to existing developed lots within the SCS WWTP Sewer Service Area to help property owners afford the connection to the expanded St. Clements Shores WWTP and owners can apply to MetCom for incentive loan funding.

E. The expected number of EDUs in the expanded St. Clements Shores WWTP is 320. When the expanded plant begins to operate the EDUs may be allocated to the following types of properties:

- Residential dwellings with failing OSDSs certified by the St. Mary's County Health Department.
- Lots of record in the Saint Clement Shores subdivision.
- All residential dwellings that are on conventional OSDSs for which a replacement OSDS is not possible will be allowed to connect to the St. Clements Shores WWTP. These OSDSs may be functioning adequately but when they fail, they cannot be replaced due to impermeable soils, water tables, and, in many cases, small lot size.
- Undeveloped lots of record in the SCS WWTP Sewer Service Area will be allowed to connect to the St. Clements Shores WWTP provided there is adequate treatment capacity.
- Property in the Breton Bay Planned Unit Development is subject to the Zoning Decision Resolution No. Z-78-7, Zoning Amendment, signed November 15, 1978; the Zoning Decision Resolution No. Z-78-7A, Findings, signed November 15, 1978; and the Zoning Decision Resolution No. Z-78-7A, Memorandum of Understanding, signed December 6, 1978.
- The owner of a property with an adequately functioning OSDS in the SCS WWTP Sewer Service Area, or the owner of an undeveloped lot or parcel of record within the SCS WWTP Sewer Service Area that can install an OSDS, cannot be forced to connect to the expanded St. Clement Shores WWTP.
- MetCom fees would only be due if an EDU is allocated.
- An amendment to the Comprehensive Water and Sewerage Plan will highlight remaining capacity of existing WWTP available and specific requirements and limitations for allocating EDUs to properties in the SCS WWTP Sewer Service Area-and the approved PFA exception within the Sewer Service Area. A Resolution governing the SCS WWTP Sewer Service Area will be adopted by the Commissioners of St. Mary's County.

Amendments to the 2010 St. Mary's County Comprehensive Plan

The following amendment to the ***St. Mary's County Comprehensive Plan (Comprehensive Plan), Quality of Life in St. Mary's County: A Strategy for the 21st Century (Adopted: March 23, 2010; Effective: April 6, 2010)*** will modify it for consistency with the SCS WWTP Sewer Service Area and the PFA exception area within the Sewer Service Area. Text proposed to be added is shown as <u>underlined</u> and text proposed to be deleted is shown with ~~strikethrough~~.

The Comprehensive Water and Sewerage Plan is being amended concurrently with the amendment for the Comprehensive Plan to ensure consistency between the two plans. A Resolution specifically for the SCS WWTP Sewer Service Area and the Priority Funding Area Exception Area with the specifications for connection to the expanded St. Clements Shores Wastewater Treatment Plant is being reviewed for adoption by the Commissioners of St. Mary's County.

Chapter 1. Trends
1.2 The Dynamics of Change
1.2.5 Community Facilities
C. Water Resources and Wastewater Treatment Facilities (page 1-9)

There are ~~four~~ seven wastewater treatment plants in the County: Leonardtown ~~Charlotte Hall,~~ and Marlay-Taylor, ~~which serve~~ serving the ~~Leonardtown, Charlotte Hall and Lexington Park~~ Development Districts, ~~respectively,~~ Charlotte Hall, serving the Town Center, ~~and~~ St. Clements Shores, and Wicomico Shores serving neighborhood conservation districts, Forest Farms serving the Rural Preservation District, and Airedale Road serving the Rural Preservation District and the Village Center of Ridge. ~~that serve these neighborhood conservation districts~~. The Wicomico Shores, Forest Farms, and Airedale Road wastewater treatment facilities are ~~facility is~~ currently at capacity with no plans for expansion.

The St. Clements Shores Wastewater Treatment Plant (St. Clements Shores WWTP), owned and operated by the St. Mary's County Metropolitan Commission (MetCom), is being expanded to address the potential hazards to public health from failing OSDSs ~~septic systems~~ ~~within the vicinity~~ and the environmental concerns created by high water table, and poor draining soil conditions. Most of the houses currently using an OSDS are on small lots with high water tables and poor soils and thus will not be able to install a new OSDS when their existing one fails. The properties that will be able to connect to the expanded St. Clement Shores WWTP are located within the St. Clements Shores Wastewater Treatment Plant Sewer Service Area. The capacity needed to address these issues is estimated at 0.2 million gallons per day.

Chapter 2. Successes and Challenges
2.2 Remaining Successes
Vision 7. Adequate public facilities and infrastructure are available or planned in areas where growth is to occur.
C. (page 2-14)

Public sewerage service is a strong director and facilitator of growth. As such, it is imperative that these facilities be limited to designated growth areas except: (1) to serve areas with failing septic systems ~~where there is no feasible alternative~~; (2) areas of existing development on OSDSs which, when they fail, cannot be replaced on-site or with an off-site OSDS ~~septic system~~ constructed on a separate lot of record under the same ownership as the developed residential or non-residential property due to a high water table or poor soil; or (3) areas with existing, vacant, platted lots that cannot be developed because of a high water table or poor soils. Providing new public sewer service outside a growth area can ~~only~~ be done if its consistent with the Comprehensive Plan and allowed in the CWSP.
To prevent the over commitment of capacity, the County and MetCom will continue to maintain the sewer allocation policies of the Comprehensive Water and Sewerage Plan. These policies ensure that the capacity of sewer systems supports development only to the extent that it can be fully served. The requirements and restrictions for connections within any approved Sewer Service Area or PFA exception area will be amended into the Comprehensive Water and Sewerage Plan. ~~In order to insure that capacity keeps pace with anticipated growth, a facilities plan must be followed.~~ Expanded facilities should be both privately and publicly funded when they will accommodate growth or redevelopment within growth areas, or areas outside a growth area where a Sewer Service Area or PFA exception area is approved.

Vision 8. Funding is available to achieve these Visions.
E. State and local funding programs should be utilized to expand existing wastewater treatment plants and to help property owners afford connection costs. Existing developed lots within a PFA exception area may be eligible for Bay Restoration Fund (BRF) grants to help property owners afford to connect to an existing or expanded

wastewater treatment plant. The Metropolitan Commission (MetCom) has an incentive loan program to also help with connection expenses.

Chapter 4. Land Use and Growth Management Element

4.1 Growth Area Concept

4.1.1 Goal: Concentrate development in suitable areas (page 4-3)

A. Objective: Designate growth areas sized to accommodate the needs of the projected 2030 population of the County. Target a majority of new residential development in development districts, town centers and village centers.

i.a. Policy: Concentrate development activity in areas served or proposed to be served with public water and sewer, primarily the Lexington Park, and Leonardtown development districts and secondarily in the town centers of Charlotte Hall, New Market, Mechanicsville, Hollywood and Piney Point.

i.b. Policy: A Sewer Service Area that can include a PFA exception area may be considered for locations outside growth areas when (1) areas with existing development are on failing or likely to fail OSDSs and environmental limitations of high water table or poor soils preclude a replacement OSDS; (2) areas with existing vacant platted lots cannot develop because of environmental limitations of high water tables or poor soils; (3) expansion of public sewerage infrastructure is possible; but (4) the potential Sewer Service Area or PFA exception area is not located in close enough proximity to an existing growth area to allow for an expansion of the growth area to include (1) and (2) above.

4.1 Growth Area Concept

4.1.2 Goal: Achieve efficient use of land throughout the County through development and redevelopment of existing parcels and structures (page 4-5)

A. Objective: Promote and encourage utilization and redevelopment of existing lots and adaptive reuse of existing structures.

iv. Policy: Encourage development on existing platted lots within neighborhood conservation areas consistent with current patterns of development (bulk, density, and design) and with enhanced resource protection. Prohibit outward expansion of neighborhood conservation areas.

~~v. Policy: Provide opportunities for economic return on existing legally recorded lots that are unbuildable due to current environmental or dimensional (setback) constraints. Permit transfer of development rights from such lots to ensure preservation of open space.~~

~~vi.~~ v. Policy: Encourage consolidation and reconfiguration of blocks of small lots to meet resource protection standards. If a Sewer Service Area or PFA exception area for public sewer is needed, the development on consolidated lots in the Sewer Service Area or PFA exception area must be consistent with the existing density, intensity, bulk, and design within the Sewer Service Area or PFA exception area. ~~Following~~ Prior to reconfiguration, encourage the sale of unused development rights for use in growth areas.

4.3 Neighborhood Conservation Areas (page 4-8)

Throughout the County there are established neighborhoods where the existing development patterns and overall character are to be maintained. In growth areas such neighborhoods are typically lower in density than may be realized on adjoining properties. Outside of growth areas such neighborhoods are typically higher in density than may be realized in rural areas. This plan supports allowing limited infill development that is consistent with the existing patterns of lot size and housing type within the respective neighborhoods, thereby conserving the character of the neighborhood. Such neighborhoods in growth areas would be protected against the pressures of higher

densities that are allowable elsewhere within the growth area, and such neighborhoods outside of growth areas would be afforded the opportunity for infill notwithstanding the lower densities allowable throughout rural areas. Redevelopment and residential and nonresidential infill must be consistent with the existing character of the neighborhood or area, including density, intensity, bulk, and design. Redevelopment and infill development that enhances and is consistent with the character of existing communities aligns with the Department of Housing and Community Development's community revitalization programs and is encouraged.

4.4 Rural Preservation Goals, Objectives and Policies
4.4.1 Goal: Direct growth in rural areas to existing population centers and protect resource areas.

B. Objective: Limit non-farm residential development outside of growth areas to be in scale and consistent with the rural character of the surrounding area. (page 4-9)

i.a. Policy: Establish standards for major and minor residential subdivision development outside of growth areas to ensure compatibility with surrounding rural and community character. If a Sewer Service Area or PFA exception area for sewer is established outside a growth area, redevelopment or infill must be consistent with the existing character of the area, including density, intensity, bulk, and design. (pages 4-9 – 4-10)

1.b. Policy: Redevelopment and infill development that enhances and is consistent with the character of existing communities aligns with the Department of Housing and Community Development's community revitalization programs and is encouraged.

4.5 Development Guidelines
4.5.2 Rural Area Land Use Concepts
B. Rural Residential (page 4-25)

Rural Residential: Development in this land use category includes limited amounts of appropriately designed residential uses that are compatible with rural and community character through preserving open space, and limiting impacts to environmentally sensitive areas. In existing rural residential communities where OSDSs cannot be replaced due to soil limitations or high water tables a PFA exception area would allow existing houses to connect to an available public sewer. Extension of public sewer to rural residential communities by establishing a Sewer Service Area may potentially allow platted, vacant lots in rural residential communities to develop and connect to public sewer. Extending public sewer to existing rural communities in order to strengthen these existing communities is encouraged by the Department of Housing and Community Development.

Chapter 5. Sensitive Areas Protection Element
5.3 Adherence to the Visions of the Planning Act (page 5-7)

This Sensitive Areas Element outlines the County's adherence to the "Smart, Green and Growing" visions of State statutes. The element identifies areas to be protected and contains goals, objectives, principles, and standards designed to protect these areas. ~~from the adverse effects of development.~~

5.3.2 Environmental protection: land and water resources, including the Chesapeake and coastal bays, are carefully managed to restore and maintain healthy air and water, natural systems, and living resources.

The County will continue to use regulatory programs (such as the Critical Area Program, Forest Conservation regulations, Stormwater regulations, requirements for open space conservation and clustering etc.), tax and funding incentive programs (such as Agricultural Districts, Maryland Agricultural Land Preservation Foundation Easements, a transfer of development rights program, Installment Purchase Agreements), and planning programs

(such as the Wicomico Scenic River Management Plan, Tributary Strategies for the Patuxent and Lower Potomac Rivers, Breton Bay and St. Mary's Watershed Restoration Action Strategies), to promote stewardship of the Chesapeake Bay. The St. Mary's County Health Department administers the Bay Restoration Fund (BRF) grant program which can help defray the costs of connection to public sewer or the installation of a BAT septic system. The Metropolitan Commission (MetCom) has an incentive loan program to help with the expenses to connect to public sewer.

Chapter 7: Water Resources Element
7.1 Introduction
Planning for Water Supply and Water Quality (page 7-8)

Planning for Water Supply and Water Quality Protection. The Annotated Code of Maryland establishes State policies to improve, conserve, and manage the quality of waters of the State and protect, maintain, and improve the domestic, agricultural, industrial, recreational, and other beneficial uses. State policy provides for the legitimate, beneficial uses of this State's waters, and to provide for prevention, abatement, and control of new or existing water pollution. This Plan element establishes the following principles for water supply and water quality protection (which includes managing wastewater disposal) within the County:

5) Correct sanitary and water supply problems in existing problem areas through coordinated planning with County, State, and Federal agencies. The County should work with the Maryland Department of the Environment and the Maryland Department of Planning to assess the viability of Sewer Service Areas or PFA exception areas where possible, so that failing OSDSs, and properties that will have failing OSDSs that cannot be replaced on-site or with an off-site OSDS constructed on a separate lot of record under the same ownership as the developed residential or non-residential property may be connected to a publicly owned sewage treatment plant. Environmental constraints that are known to exist that make it impossible to replace OSDSs on-site are high water tables and poor soils.

Chapter 7: Water Resources Element
7.6 Wastewater Assessment and Planning
7.6.1 Goal: Provide infrastructure to meet service needs in growth areas, ensure adequate capacity to accommodate concentrated development in growth areas and to address adequate facilities and services outside the growth areas. (pages 7-21 and 7-22 and 7-23)

B Objective: Properly dispose of wastewater and take actions to reduce the pollutants in wastewater.

i. Policy: Implement the CWSP through preparation and adoption of such ordinances, rules and regulations as may be necessary.
a. Action: Assure public ownership of all community water and sewerage systems.
b. Action: Require all sewage collection systems be designed and constructed to St. Mary's County Standard Specification for Water and Sewerage Construction.
c. Action: Evaluate a balance between assigned equivalent Dwelling Units (EDUs) and actual effluent quantities (flow).
iii. Policy: Guide development to areas where water and sewerage systems exist or may be installed or expanded both economically and in conformance with the Land Use Plan.

b. Action: Direct sewerage service as needed to remedy the failure of existing septic systems, where no feasible alternative exists. ~~When this situation exists outside a growth area, apply for a PFA exception area.~~ Avoid discharge of treated wastewater into local waters. Do not extend new public sewerage service to rural areas unless it corrects an existing or potential health hazard or environmental threat.

i) Public sewerage service extended to correct an existing health hazard or environmental threat shall not be used to intensify development in rural areas or neighborhood conservation districts outside growth

areas. Platted, vacant lots in a sewer service area that is established to correct an existing or potential health hazard or environmental threat may be developed but the development must be consistent with the existing character of the area, including density, intensity, bulk, and design.

ii) Conventional On-site Sewage Disposal Systems, BAT units, or connection to a publicly owned treatment plant are the preferred means of providing sewerage service to such areas.