

[REDACTED] [REDACTED]

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**From:** nicholasgirard@comcast.net  
**Sent:** Wednesday, November 1, 2023 8:54 AM  
**To:** Zone Ordinance Update  
**Subject:** Land use

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Not sure if this is what is being discussed but I am throwing this in there. I live in 3 acres in Prince Frederick MD. I have always planned on taking off an acre to build for retirement later. I am told I cannot divide the 3 acres. Is there a chance this could change. With all the building that is being allowed around here I feel I should be able to do as I wish with my property.  
Kim Girard

[REDACTED]

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**From:** Mary Burton <pokipoki@verizon.net>  
**Sent:** Thursday, October 19, 2023 3:01 PM  
**To:** Zone Ordinance Update  
**Cc:** pokipoki@verizon.net  
**Subject:** Comments on Update to Calvert Zoning Ordinance  
**Attachments:** Zoning letter 8-19-2023.pdf

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**This Message Is From an External Sender**

This message came from outside your organization.

I am attaching a letter that was written in August in response to an earlier presentation by Planning and Zoning on the Update to the County Zoning Ordinance. I did not send it at that time as I wanted feedback from other people and the process became involved. Hopefully it can be added to the record at this time.

Respectfully,  
Mary A. Burton

August 19, 2023

Calvert Draft Zoning Comments  
Calvert County Department of Planning and Zoning  
Prince Frederick, Maryland 20678

Subject: Change in Zoning Classification for section of Yellow Bank Road  
and Dunkirk Town Center

I am writing specifically today regarding the new zoning for the area known as the Yellow Bank Community including all the properties that access Yellow Bank Road for direct access to Route 4 at the Northwest corner of Dunkirk. (I understand that citizen responses to the presentations on the Draft Zoning Ordinance Website and at the Public Meetings are suppose to only reflect what has been presented in the meetings in June, but that is unrealistic as planning and zoning for a community is a complex interplay of needs that cannot easily be broken into only one aspect of the proposal.)

In response to the development of the 2040 Comprehensive Plan, a letter signed by a member of every household in the Yellow Bank Community<sup>1</sup> was hand carried to the Department of Planning and Zoning by John Murphy in September, 2018.<sup>2</sup> The letter was in response to the proposal that a large section of Yellow Bank be rezoned from Farm and Forest District to Residential District. The Residents of Yellow Bank unanimously asked that the entire area remain a Farm and Forest District.<sup>3</sup>

With the disclosure of the Draft Zoning Ordinance, the issue of rezoning of a section of Yellow Bank has again come to the fore. Upon first glance from a bird's eye view, one might say that the rezoning of the middle section of the community to RCD is appropriate as it appears to naturally adjoin Dunkirk, and the lots in that area range from one to ten acres. The Department of Planning and Zoning might add, as mentioned in the Public Meeting June 20 that those lots were not zoned RND, but RCD in

<sup>1</sup> The Yellow Bank Community references residents from King's Branch to the unnamed tributary/ ravine that separates the Community from Smith's Purchase and Dunkirk Park. All residents use Yellow Bank Road to access Route 4.

<sup>2</sup> See attached document. The original with all the signatures should be found in the Department of Planning and Zoning files.

<sup>3</sup> In addition, at least 25 more individual letters were sent requesting the continuation of FFD.

conformance with other areas outside the one mile radius of Dunkirk, even though some of the lots fall within the arbitrary one mile radius. Thus the Department of Planning and Zoning would argue that it has compromised to meet the request of the residents of Yellow Bank.

However, there is strong reason to believe that the rezoning of this section of the community has far reaching consequences that are not readily apparent in the Draft Proposal or in the Draft Zoning Map.

As stated above, if simply viewed from the bird's eye of a surface street map, it appears logical to the Department of Planning and Zoning that the smaller lots that look to be in proximity to Dunkirk Town Center should follow its rule of Higher Density Town Centers.<sup>4</sup> However, there are several reasons why this is not in the best interest of the residents of Yellow Bank nor the residents of the Third District. Nor is it in the best interest of good long term planning for the entire County.

1. Mary Beth Cook said in her presentation that the staff drove around the County and looked at current communities to determine the best zoning. She specifically mentioned that the highway in St Leonard's served as a barricade to the western side of that community and hence did not have to comply with the 1 mile radius for Town Center zoning. Roads can certainly serve as limits on communities, but roads are also connectors. However it is natural terrains that have traditionally defined the limits of communities, i.e. mountains and rivers. In Calvert County, it is ravines and accompanying tributaries that define the structure of development and communities. Yellow Bank is a Community united by a common historical access road and limited by the presence of ravines, especially at its north and south edges. It is not a natural extension of Dunkirk Town Center.
2. It is not stated, but it is believed by many residents that Developers and County Officials have for the last forty years viewed Dunkirk as a gift to Developers. When the County began serious planning for the future in the late 1960s, all the towns were expected to be centered

<sup>4</sup> It is interesting to note that although Dunkirk has an arbitrary 1 mile radius for expansion from an arbitrary cross road, Prince Frederick has a 1 mile radius for expansion starting from the edge of the town center. In short, this "little" change opens up a new era of town center expansions.

away from Route 4. This remains true for Huntingtown<sup>5</sup>, St Leonard, Lusby and to some degree Solomon's. It is not true for Dunkirk. The "exceptions" made to satisfy Developers has resulted in a traffic and community planning disaster. Both Dunkirk and Prince Frederick have radically strayed from Town Center concepts and are basically a hodgepodge of strip malls. At this point in history, the only logical step for any hope of a workable Town Center plan for Dunkirk is to recognize that the town has reached its limit and further development should be strongly discouraged. Not promoted! The zoning of Dunkirk Park as RND combined with the rezoning of a large section of Yellow Bank is a glaring signal that Planning and Zoning is aiming to expand Dunkirk Town Center to the west.

3. The threat and very poor decision to expand Dunkirk leads to the third reason why part of Yellow Bank should not be rezoned. As stated above, the approximately 700 acres that constitutes the Yellow Bank Community has traditionally been recognized as a geographic entity. In 2012 when the State of Maryland set out tier designations for sewage and development, the Yellow Bank Community was basically the same as it is today. There are only two lots in the proposed RCD area that have not been built on and only one house that has been built since 2012. Hence, the climate and community of Yellow Bank is today exactly how it was in 2012 when the state designated it Tier iv and it has remained FFD. Keeping the entire 700<sup>6</sup> acres in FFD will help assure a better environment for the entire Dunkirk area and will be in keeping with the State of Maryland's environmental goals.<sup>7</sup>
4. As mentioned in section 3, Yellow Bank is an established community that serves the wider community. As it now stands as FFD there is little reason for change and it will continue to serve as an environmental shield as well as a working community of residents and farms. If, however, with the introduction of the middle section being rezoned RCD, the sustainability of the community is no longer assured. With RCD, the fate of the community falls to the Planning and Zoning Commission. And if we are honest, we have to recognize that

<sup>5</sup> Thanks to the current BOCC the attempt to change this policy was rectified for Huntingtown in 2021.

<sup>6</sup> Approximately 555 acres directly feed onto Yellow Bank; 135 acres are part of adjoining Trott Farm

<sup>7</sup> The DNR property along the River adjoining the Whittington farm and Hall Creek NRMA are the only assured open space areas in the Third District.

the Planning and Zoning Commission is notorious for "EXCEPTIONS". It is the best route for getting the camel's nose in the tent. And with it the degradation of the community, and especially the farms and the DNR protected lands. And it is the best route for expanding the Dunkirk Town Center which is detrimental to all the citizens and especially to the County Government.

5. Last, but certainly not least, the rezoning of the Yellow Bank Community is a symptom of a larger County problem. Planning and Zoning is geared to growth. The people of Calvert County have spoken clearly that growth in itself is not a goal. But this is not an issue of closing the barn door after yourself. As referenced at the beginning of this paper, Calvert County is unique in its terrain. It is not Charles County, or Montgomery County, or even Anne Arundel County. We are a narrow peninsula, cross cut by deep eroding ravines and eroding shorelines on the Bay.<sup>8</sup> We are a community that supports the nation's oldest nuclear power plant that was built here because of the water and the low density population. We cannot use the cookie cutter recipes for development as seen in surrounding Counties. Calvert County is unique and its planning for the future must be unique. Sadly, the example of rezoning Yellow Bank is only a single symptom of a very inadequate draft Zoning Ordinance.

Respectfully,  
Mary A. Burton

  
Dunkirk, MD 20754

<sup>8</sup> In the fifty years we have lived in Dunkirk we have seen our ravine drop 5' and watched banks disappear down stream. Not to mention the erosion on the Bay shores as buildings fall off cliffs. And we have yet to see the full effects of climate change.

## Attachment 1: Residents' letter

September, 2018

Calvert 2040 Comments,  
Calvert County Department of Planning and Zoning  
175 Main Street  
Prince Frederick, Maryland 20678

Subject: Change of Classification for Yellow Bank Road in Comprehensive Plan

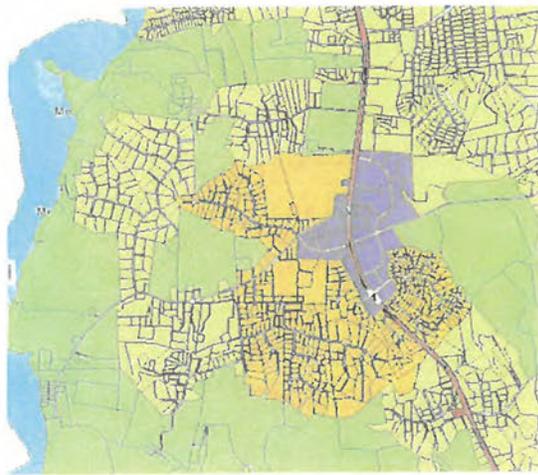
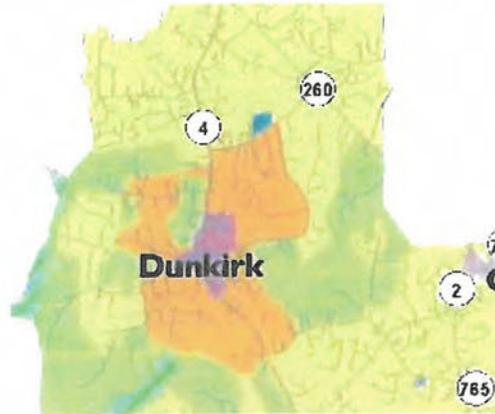
We the undersigned believe that Yellow Bank Road should NOT be reclassified as **Residential** as stated in the Draft of the May 2018 Comprehensive Plan for the following reasons:

1. Yellow Bank Road should remain in the category **Priority Preservation/ Farm and Forest** as it has been classified since the first Comprehensive Plan in the 1970's. Its character remains Farm and Forest.
2. Changing the classification to Residential would allow for building 3 to 4 houses per acre.
3. The rural character of Yellow Bank, which encompasses farmland, and large acreage lots ranging from one to ten acres, presently represents exactly the growth pattern that the County envisioned nearly 50 years ago.
4. If classified Residential, the diverse social and economic character of the present community could significantly be changed.
5. Increased population would mean increased traffic on a small country road and would significantly increase the hazards now encountered in accessing Route 4.
6. The Community could easily be linked with commercial and large scale development on Route 4 and Dunkirk Town Center by sewer systems built by developers and eventually maintained by residents and taxpayers.
7. Last, the woodlands of Yellow Bank that protect its wetlands and streams that feed into the Patuxent River and Chesapeake Bay could eventually be replaced by asphalt and dense housing, contributing to pollution and lowered air quality, both of which are challenges for the health of the entire County.

Sincerely,

## Attachment 2: Maps of Changes to Zoning on Yellow Bank and Dunkirk Area

Priority Preservation Area 2009, 2012, 2018



Proposed Rural Residential Area in 2018 Draft 2040 Comprehensive Plan with extension into Priority Preservation Area of Yellow Bank Community. Note that Dunkirk Park is also Priority Preservation Area and expansion of RND is NE of Dunkirk, which is largely owned by the Baptist Church or is deemed unsuitable for building or is already densely developed.

2023 Draft Rezoning in which Dunkirk Park has been rezoned to RND and Yellow Bank central section to RCD with the option for transfer of TDRs and Exceptions to zoning by the Planning Commission. In short, expansion of Dunkirk population.

[REDACTED] [REDACTED]

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**From:** trish weaver <tderweaver@gmail.com>  
**Sent:** Tuesday, September 19, 2023 1:22 PM  
**To:** Zone Ordinance Update  
**Subject:** Comments on proposed ZO changes  
**Attachments:** calco ZO letter.odt

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**This Message Is From an Untrusted Sender**

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Please see attached letter regarding the Zoning Ordinance changes being proposed.

Respectfully,

Patricia Weaver

[tderweaver@gmail.com](mailto:tderweaver@gmail.com)

Prince Frederick, MD

September 12, 2023

Dear Friends,

I am writing with concerns about the proposed changes to the Zoning Ordinance.

**Housing density:** Increased density within the town center is one thing, but adding it outside the town center will create sprawl. How is this prevented? By sticking to the town center boundaries---there is land inside the town centers for higher densities, which is what is intended in the past Comprehensive Plans. Keeping to the projected growth numbers make sense for retaining our rural character and working towards “vitality and charm” instead of sprawl.

**Environmental Impact:** if septic systems are required in areas where there is no public sewage (German Chapel Rd) with smaller lots, how will all of the septic be placed and managed? Other neighborhoods in the county are having issues with finding new spots for faulty septic---this is a recipe for disaster with higher density. Our tiny county cannot support rapid growth---we are surrounded by water! We can't just keep modifying the rules and retain the health of our area.

**Traffic---**adding more housing means adding more cars in our mostly non walkable town centers and county. Each house will have a minimum of one car, so 5000 more cars, and if there are multiple family members, there will be many more than 5000. Where is the traffic study to support this kind of density change? The State has already given poor grades to many intersections and traffic in Prince Frederick is already congested most of the day on Rt 4. We have one way in and out of our beautiful county---this seems like adding frustration when there is no solution for bypasses or public transportation, or increased “walkability”.

**Health Care:** Our hospital, recently renovated, has up to 100 beds. Adding density means adding citizens. Adding Senior Housing means adding more citizens who will need health care. Is 100 beds enough to support this kind of growth? Where are the studies for this?

**Commercial Growth:** The argument that the tax base needs to be expanded through commercial growth is null and void with large corporations who send their money back to their home state. They often bring key employees in from out of state while promising our citizens more jobs. Adding to the minimum wage employment sector (retail, restaurants) is not the way to expand the tax base. Offering incentives to LOCAL business owners keeps our money in county. This builds the feeling of community, expands the coffers, and local businesses have an easier time getting up and running, bringing charm and individuality to our area. Attracting light industrial businesses that build careers instead of retail minimum wage opportunities would be a sensible goal.

**Residential Growth** does not pay for itself in the taxes collected. Calvert County has noted that there is a \$2000 loss PER YEAR/PER NEW RESIDENCE in services offered against taxes and fees received. Where is the gain? Why consider this at all from a cost benefit perspective?

In conclusion, Calvert County, in the not so distant past, set the example for good planning with previous versions of the Comprehensive Plan and zoning ordinance. If we allow this kind of growth that is not healthy for our environment, stretches our diminishing water supply, our roads, our sewage and does not give us a tax base gain, why are we thinking this is appropriate? Citizens have over and over stood at public hearings and sent letters of comments that have been ignored. It is time to stop the development sprawl and protect our beautiful county. We cannot ever UNdevelop, but we can certainly develop cautiously, carefully, and mindfully. This plan does not have this goal with the density changes proposed. Please take the time to protect our county.

Patricia Weaver, [REDACTED] Prince Frederick, MD [REDACTED] tderweaver@gmail.com

