



THE WICOMICO ENVIRONMENTAL TRUST NEWSLETTER

WWW.WICOMICOENVIRONMENT.ORG

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The mission of the Wicomico Environmental Trust (WET) is to educate and advocate for wise environmental stewardship in Wicomico County by bringing together citizens, organizations, government agencies, and businesses.

To that end, WET presents this newsletter to help inform residents about current environmental issues and to invite concerned citizens to join us.

Letter from the President

In the April newsletter we celebrated multiple indicators of progress in our campaign to insure that our county's natural resources are protected for future generations. Recently we have been reminded of how much remains to be done.

In early May, the Wicomico County Council rejected legislation designed to discourage sprawl development, even though the legislation (drafted by the Rural Areas Planning Commission) had been unanimously recommended by the county's Planning and Zoning Commission. Although the council's vote was a disappointment, we were pleased that at the hearing about the legislation, the public testimony demonstrated strong support from farmers, environmentalists, planners, business leaders, and citizens who provided diverse reasons for a pragmatic approach to managing growth wisely and with foresight. In the end, the council decided that the unproven fear that repealing the cluster density bonus might reduce property values for large landowners trumped the evidence and the desire, expressed by the majority of citizens who testified at the public hearing, to preserve the county's rural character, the health of its environment, and the viability of its farming industry.

The council's vote was close—the legislation was rejected by just one vote. Without the public testimony, letters and phone calls to officials, and letters to the editor by WET members and others, all of which demonstrated to county officials the breadth of support for managing growth wisely, the measure certainly would have been rejected in a landslide.

Standing up for the environment does make a difference, and WET appreciates the efforts of all the concerned citizens who shared their opinions in the debate over repealing the cluster density bonus. We hope that the council's rejection of a measure to discourage sprawl proves temporary. County officials now understand the breadth of the coalition of citizens who want to preserve what makes Wicomico County special, and that is an important step on the long path toward improving Wicomico County's land-use practices.

WET's volunteers devote amazing energy to our mission. In discussions with larger and more established environmental organizations we often receive compliments about the quality and scope of the activities we take on as a volunteer group. We have also been questioned about how we plan to maintain our efforts over time. We have recognized the importance of *sustainability* as we act to improve the health of our planet; similarly, to ensure that WET will be able to sustain its effectiveness as a champion of Wicomico County's environment far into the future, we must not neglect WET's organizational health.

Your WET board of directors is working to ensure that we will remain an effective advocate for the environment. We are a community-supported and community-based nonprofit, and we count on those who read this newsletter to help us achieve our goals. If you can contribute to our planning process or in other ways, please contact me or other members of our board. You can contact us by visiting WET's Web site, www.wicomicoenvironment.org/volunteer.html.

Thank you for your ongoing support and involvement.

Barry Johansson, President

Larry Points (left), Angel Smart (center), and Shawna Adams (right) staffing WET's table at the Salisbury Zoo on Earth Day 2009. Larry is chair of WET's festival committee, and Angel and Shawna are student volunteers attending WorWic Community College. Photo courtesy of Marvin Novick.



Summer Outdoor and Environmental Events

Tuesday afternoons all summer - Organic Farmers Market

Tuesdays, 4:00–6:00 p.m., in the parking lot of Asbury Methodist Church, at the corner of Camden Avenue and Pine Bluff Road in Salisbury. Several local farmers offer their locally grown organic produce, flowers, baked goods, etc.

Saturday, June 20, 2009 — 2nd Annual Summer Solstice Party

You and your "green" friends are invited. Children are welcome if supervised. Schedule: 3:00 p.m., paddling on the Nanticoke (bring your own canoe or kayak); 5:00—about 9:00 p.m., solstice party. Beer, wine, soda, and light refreshments provided; you are encouraged to bring a dish or dessert to share. Location: 11571 Riverton Wharf Road (please park on access road or at Riverton Church lot). For information or directions, call Ed Dryden (410-251-7908) or Mike Pretl (443-323-3060).



Update on Zoning Issues

Wicomico County's Comprehensive Plan

The County's Planning and Zoning Commission has continued to work with staff to write several draft sections of the new Comprehensive Plan. Public meetings were held on the Water Resources Element, but not on other sections. We have requested notification of future work sessions so that citizens can attend and keep up to date on proposed changes. As we receive notice of these work sessions, we will inform you via WET eNews so you too can attend them. (If you are not receiving WET eNews and would like to be added to the distribution list, please send your email address to wet@wicomicoenvironment.org.)

Three parts of the Comprehensive Plan revisions are expected to be in draft form by October: Water Resources Element, Priority Preservation Plan, and Water and Sewer Plan. We will let you know via the weekly WET eNews when these are available for online review. We will also keep you posted on our reflections on these components and hope you will read the draft plans and share your thoughts and suggestions with the County Planning and Zoning staff, and with us at wet@wicomicoenvironment.org.

Report on Monthly Planning and Zoning Meetings

We are encouraged that the environment-friendly provisions of the Zoning Code and Comprehensive Plan are being increasingly honored as we head toward revision of the plan later in 2009.

Biodiversity Workshop

Several WET board members attended sessions of a three-day workshop on biodiversity sponsored by the Lower Shore Land Trust in mid-May. They participated in workshops ranging from how to protect land to sustain a diverse wildlife population to a better understanding of the importance of protecting a green infrastructure and some of the many unique and valuable natural features on the Eastern Shore that we often do not recognize, such as prehistoric sand dunes. WET hopes to engage some of the presenters for a fall lecture series open to the general public.

Recycling Tips

The UPS Store located in the small strip mall on South Salisbury Boulevard just north of Bateman Street (on the east side, across the highway from SU) will accept clean used packing peanuts for recycling.

Please recycle all possible items via Salisbury's curbside recycling program, at the Wicomico County recycling bins, or at the commercial recyclers listed on WET's Web site

(www.wicomicoenvironment.org/recycling.html). Recycling reduces waste and your taxes by extending the life of our landfill, which is extremely expensive to expand when it fills up.



One example of this trend is the commission's rejection of a development proposal for Stone Bridge subdivision. Following several years of approvals and extensions, the Planning and Zoning Commission rejected the cluster density bonus for this new proposed subdivision east of the state police barracks. It lies in an area of the county that is zoned to be protected for agriculture. Trees have been cleared to the water's edge of two streams, allowing silt to easily run off into these tributaries. We have argued for several years that applying the density bonus to this development is highly inappropriate, and finally we were heard. This proposal was rejected in May after WET submitted legal arguments in opposition at the previous meeting.

Another proposal to permit cluster bonus lots in the critical areas near Mardela Springs was rejected when WET joined Friends of the Nanticoke River and neighbors in arguing that it was totally inappropriate to grant a bonus to build even more houses in the critical area headwaters of a very sensitive creek.

As demonstrated in these two examples, the efforts of ordinary citizens do make a difference. WET needs the help of everyone concerned about the environment—through your letters to the editor, letters and phone calls to county officials, membership support, and more. Let us know when you are able to become more involved and how you wish to help. For further information on volunteering or to contact us, go to our Web site: www.wicomicoenvironment.org/volunteer.html.

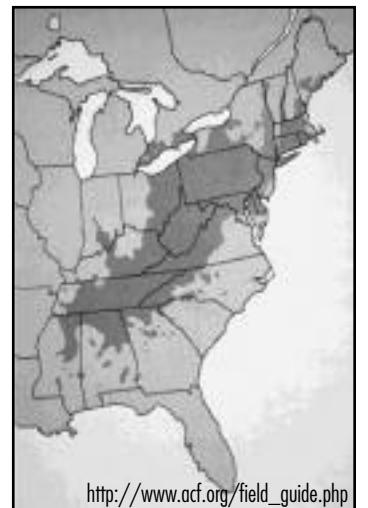
A Comeback for the American Chestnut? By John Groutt

As a child growing up in western Pennsylvania, I often heard my father tell stories of the great American Chestnut. It was one of the most valuable trees growing in our forests and had helped the colonists survive. It produced a strong, light, rot-resistant wood that provided for them from birth to death: cradles, furniture, houses, barns, fence posts, and finally coffins. Its tasty and nutritious nuts were used in cooking and provided flour for bread, and wildlife depended on them for food.

Thus when blight, imported from Japan, began to decimate the huge trees across the continent at the beginning of the twentieth century, there was alarm but no cure. The trees would die above ground, even while some continued to send up shoots from the roots, which in turn died above ground when they reached a height of about 20 feet. Some of these trees still struggle to survive locally.

Finally, horticulturalists at the U.S. Department of Agriculture laboratories in Beltsville, MD, hope they have found a disease-free descendant hybrid from a Chinese chestnut backcrossed with a few scattered surviving American trees. It appears to possess all the fine qualities of our American species, plus the blight resistance of the Chinese species.

Maps show that the southern border of one of the large chestnut forests ended in an east-west line across the center of Wicomico County, about where Route 50 now lies. Perhaps one day our children may see these magnificent trees return to our local forests.



http://www.acf.org/field_guide.php

Get Involved at:

www.wicomicoenvironment.org

WET Welcomes

Two organizations have recently joined WET as members and provided generous contributions to support our efforts: the Maryland Bass Federation Nation of Maryland, and the Four Seasons Garden Club of Wicomico. We welcome them as partners in our efforts to protect the plants and streams of Wicomico County for future generations.

Bottled Water's Environmental Toll

It took the equivalent of 17 million barrels of oil to create the 900 thousand tons of plastic used to bottle water in the United States in 2006. That's enough to fuel more than a million cars for a year. The manufacturing of the plastic released 2.5 million tons of carbon dioxide into our environment. Almost 90 percent of those plastic bottles ended up being thrown into the trash instead of being recycled. A bottle of water that takes just 3 minutes to drink can take up to 2,000 years to biodegrade. What can we do to stop all this waste? Choose tap water. (Source: Water Quality Report, City of Salisbury)



Did You Know?

- Salisbury city streets are swept weekly and the river is manually cleaned weekly (weather and work schedules permitting).

Litigation Report

Since WET's revival about a decade ago, one of its most important functions has been its consistent engagement with the Wicomico County zoning process. Every month, WET representatives attend meetings of the Planning and Zoning Commission, comment on major development proposals, and advocate for smart growth to resist sprawl in the A-1 agricultural zones. Until recently, we were unsuccessful in most of the contested cases, due chiefly to the commission's liberal interpretation of the Zoning Code's "density bonus" provisions.

Within the last year, however, when we have found persons with legal standing to pursue these cases in the Board of Appeals and Circuit Court, WET has begun to take cases selectively to the next level of appeal—and we have achieved some notable successes. The following cases warrant mention.

Deer Creek Estates: This proposed development of only 33 building lots is located in a densely wooded A-1 area on Morris Road, south of Pittsville. It was initially approved by the commission under the "density bonus" rules, even though most commission members publicly stated that a residential subdivision is inappropriate at that location. After the Board of Appeals affirmed the decision, it was reversed and remanded by Judge Newton Jackson in Circuit Court, on the grounds that the commission had made no sufficient findings of fact to justify its decision. The development has not gone forward, and it is anticipated that the developer may withdraw his application rather than continue to litigate.

Woodlands at Whiton: By contrast, this is a very large residential proposal by an Israeli company using New Jersey developers, in the far southeast corner of the county near the Pocomoke River preserve of The Nature Conservancy. More than 1,000 residential units were originally proposed in 2005. After several rebuffs by the Planning and Zoning Commission, the development has been scaled back to 146 units. The commission stood firm in denying "cluster" treatment for this proposal and made detailed findings to support its decision—

Disturbing Developments in Worcester County

On May 26, the Worcester County commissioners voted 4–3 to consolidate the Departments of Comprehensive Planning, Environmental Programs, and Development Review and Permitting. As a result of this vote, at the close of business on May 29, two respected departments effectively ceased to exist: the Comprehensive Planning Department, charged with guiding development, working on water quality and land preservation issues, and tracking growth in the county; and the Environmental Programs Department, charged with protecting the drinking water supply and overseeing wastewater disposal. Abolishing these separate departments, which formerly provided crucial checks and balances, will make it considerably more difficult to do effective, thoughtful land-use planning and environmental protection in Worcester County, which previously had been a positive model of land-use planning for the rest of the Eastern Shore.

The commission's president, Louise Gulyas, said in a subsequent commission meeting that she has changed her mind and no longer supports the move, but it is not her role as president to make a motion to overturn an earlier vote; such a motion would have to be made by another commissioner who had initially supported the restructuring.

Worcester County taxpayers and voters who wish to help remedy this situation can contact the other three commissioners who voted for the restructuring—Robert Lee Cowger Jr., James L. Purnell, and Bud Church—to urge them to make a motion to overturn the vote to restructure. Contact information is posted on Worcester County's Web site: www.co.worcester.md.us/commissioners/comm.htm.

based in part on WET's evidence and advocacy at numerous hearings.

In a major decision on April 13, the County Board of Appeals unanimously affirmed the commission's ruling, declaring—as WET has advocated for years—the commission's broad discretion to apply the "bonus density" rules sparingly, only where justified by evidence of conformity with the "smart growth" environmental policies of the County Comprehensive Plan. On May 11, the developer filed a further appeal to Circuit Court. This appeal is not unwelcome, since it will afford an opportunity for a clear statement of the applicable law, which strongly disfavors development in our rural areas. Consistent with Maryland law, we expect the Circuit Court to reaffirm the commission's authority to deny these sprawl developments.

Waller Landing: A third project on a still larger scale looms in Hebron, where town authorities are eager to increase its size (through annexation and development) by a factor of five or ten, to as many as 8,000 residents. WET has participated in numerous public hearings in support of local opponents. Despite opposition by county authorities, despite unresolved issues of water and sewer capacity, traffic congestion, and unwanted commercial development along Route 50, and despite legal issues over annexation, authorization, and deficits in the record of hearings, the town has given its preliminary approval—which is now being challenged in court.

In April, WET joined the Friends of the Nanticoke River and other civic-minded persons and groups in intervening in the court case, and we are working closely with attorney King Burnett to present these issues in this more objective forum. At this early stage of the litigation, we believe that this runaway project can be slowed and, if ultimately permitted at all, be made to conform to the County's Comprehensive Plan.

WET invites comment by its members on any of these ongoing proceedings, and welcomes support—financial or otherwise—in these complex but very important matters. For further information, contact Mike Pretl at mikepretl@aol.com or 443-323-3060.



4551 Cooper Road
Eden, Maryland 21822

"Pass this newsletter on to a friend!"

Membership Reminder

Please become a member of WET for 2009 or make an additional contribution. (Thanks to those who have already given this year!) You can use the form in this newsletter and mail a check, or go to www.wicomicoenvironment.org/join.html to join or give online. Your support is greatly needed and appreciated. Please contact membership@wicomicoenvironment.org or 410-742-6604 with questions.

Get Involved!

WET needs persons willing to volunteer in many different areas that we are currently not able to cover adequately. If you have an interest in alternative energy, helping monitor construction runoff into streams, building bluebird boxes, serving on committees, working with others to develop funding sources for WET, helping with public relations, or many other areas, please let us know your interests. Email wet@wicomicoenvironment.org or call 410-548-2563.

All WET members are welcome to attend and participate in our monthly board and committee meetings, held the first Thursday of each month at 4:30 p.m., room 209, Henson Building, Salisbury University. For further information and to confirm meeting dates in case they change, contact Barry Johansson, 443-614-4122 or barryjoh@comcast.net.



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Please enroll me as a member

JANUARY 2009 – DECEMBER 2009

NAME: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

PHONE: _____

E-MAIL: _____

SPECIAL INTERESTS: _____

MEMBERSHIP LEVEL _____ AMOUNT ENCLOSED \$ _____

- Student (\$5)
- Individual (\$15)
- Family (\$25)
- Patron(\$50)
- Sustaining (\$100)
- Corporate (\$250)
- Joint membership to The Friends of the Nanticoke River (add \$10 to above contribution)

For more information or to return membership:
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Make checks payable to:
Wicomico Environmental Trust
WET Contributions are tax deductible.