



## Maryland DEPARTMENT OF PLANNING

October 12, 2023

Chairman Victor Costa  
Town of Rock Hall  
P.O. Box 357  
Rock Hall, MD 21661

Dear Chairman Costa:


Thank you for the opportunity to comment on the draft 2023 Town of Rock Hall Comprehensive Plan. (Plan). The Maryland Department of Planning (MDP) believes that good planning is important for efficient and responsible development that adequately addresses resource protection, adequate public facilities, housing, community character, and economic development. Please keep in mind that MDP's attached review comments reflect the agency's thoughts on ways to strengthen the Plan, as well as satisfy the requirements of Maryland's Land Use Article.

MDP forwarded a copy of the Plan to several state agencies for review, including: the Maryland Historical Trust and the Departments of Transportation, Environment, Natural Resources, Commerce, Department of Disabilities, and Housing and Community Development. To date, we have received comments from the Departments of Natural Resources, Environment, Housing and Community Development, and Historical Trust, and these comments have been included as attachments to our review. Any plan review comments received after the date of this letter will be forwarded upon receipt.

MDP respectfully requests that this letter and accompanying review comments be made part of the town's public hearing record. Furthermore, MDP also asks that the town consider State agency comments as revisions are made to the Plan, and to any future plans, ordinances, and policy documents that are developed.

Please feel free to contact me or David Dahlstrom, Eastern Shore Regional Planner at [david.dahlstrom@maryland.gov](mailto:david.dahlstrom@maryland.gov).

Sincerely,

  
Charles W. Boyd, AICP  
Director, Planning Coordination

Enclosures: Comments on the draft 2023 Town of Rock Hall Comprehensive Plan

cc: Robert Resele, Town Manager, Town of Rock Hall  
William Mackey, Director, Kent County Planning, Housing, and Zoning  
Joseph Griffiths, AICP, Manager, Local Assistance and Training, Maryland Department of Planning  
David Dahlstrom, AICP, Upper Eastern Shore Regional Planner, Maryland Department of Planning



**Maryland Department of Planning  
Review Comments  
October 12, 2023  
Town of Rock Hall 2023 Draft Comprehensive Plan**

The Maryland Department of Planning (MDP) received the draft 2023 Town of Rock Hall Comprehensive Plan (Plan) from the town on August 14, 2023. MDP is generally pleased with the overall content of the Plan update. These comments are offered as suggestions to improve the Plan and better address the statutory requirements of the Land Use Article. Other state agencies, as noted below, have contributed comments and others may submit comments separately. If comments are subsequently received by MDP, the department will forward them to the town.

**Plan Summary**

The Plan is an update to the town's 2011 Rock Hall Comprehensive Plan. The Plan generally updates the data from the 2011 Comprehensive Plan with new data and continues to implement similar plan goals and policies. There are minor adjustments to the town's municipal growth area and the town continues to promote growth and economic development through infill development and on vacant lands already within the town and adjacent planned growth areas.

The Plan also incorporates the findings of the 2017 Rock Hall Waterfront Master Plan (Appendix C). MDP commends the town for participating in the Rock Hall Waterfront Master Planning exercise and continuing to implement the recommendations in that plan. MDP regional staff is available to assist the town with evaluating changes to the Rock Hall Zoning Ordinance, such as, the Maritime Waterfront District (MWD) identified on page 51.

The town is also commended for taking a progressive approach to addressing the impacts of sea level rise in the Plan, including identifying areas most at risk, providing guiding principles for ordinances supporting development that addresses risk while embracing the opportunity to build upon the town's heritage, and identifying a long-term approach to physically and organizationally adapt to the risks of living in areas projected to be inundated due to sea level rise. These approaches, as well as the strategy to create a Master Plan for Coastal Resiliency, will enhance Rock Hall's resiliency over the plan horizon and beyond.

**Plan Implementation Progress**

The town is reminded of its responsibility to submit a [5-year mid-cycle review report](#), which is described in Land Use Article Section 1-207(c)(6). This report will be due approximately 5 years from the adoption date of this Plan. The purpose of the report is to evaluate the progress being made to plan implementation strategies. The town is encouraged to ensure that Plan implementation objectives and strategies can be incrementally measured for progress at that time.

### Maryland State Visions – Synopsis

Land Use Article Section 1-201 requires Maryland jurisdictions with planning and zoning authority to implement the state’s twelve planning visions (visions) through a comprehensive plan. The visions reflect the state’s ongoing aspiration to develop and implement sound growth and development policy. The visions address: quality of life and sustainability; public participation; growth areas; community design; infrastructure; transportation; housing; economic development; environmental protection; resource conservation; stewardship; and implementation approaches.

### Plan Analysis

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Chapter 1, Introduction, page 8, summarizes the visions and recognizes that the town’s planning has been guided by them. The Vision for the Town of Rock Hall is also contained on page 6.

*“In 2040, Rock Hall is a vibrant year-round community with an active downtown where both new and historic buildings are occupied with businesses and residents. After 50 years of declining population, the Town is growing its resident population again in a steady and balanced way. Rock Hall has conserved its unique town character and natural setting and expanded its maritime economy which has contributed to growth in tourism and economic development.”*

MDP recommends that the town consider referencing the twelve visions elsewhere in the Plan, including how the comprehensive plan elements, goals, and objectives, policies, guiding principles, and recommendations advance them.

### Minimum Planning Requirements for Municipalities

Land Use Article Section 3-102 describes the required and optional elements for non-charter county and municipal comprehensive plans but does not mandate how they are to be addressed. The following checklist identifies required plan elements and how the draft Plan addresses them.

<b>Checklist of Maryland Code (Land Use Article) Element Requirements for Non-Charter Counties and Municipalities</b>			
<b>Comprehensive Plan Requirements</b>	<b>MD Code Reference</b>	<b>Additional MD Code Reference</b>	<b>Draft Rock Hall Comprehensive Plan</b>
(1) A comprehensive plan for a non-charter county or municipality must include:	<a href="#">L.U. § 3-102(a)</a>		
(a) a community facilities element	<a href="#">L.U. § 3-102(a)(1)(i)</a>	<a href="#">L.U. § 3-108 -- Community facilities element.</a>	Chapter 9 – Community Facilities, p. 77
(b) an area of critical state concern element	<a href="#">L.U. § 3-102(a)(1)(ii)</a>	<a href="#">L.U. § 3-109 -- Areas of critical State concern element</a>	Chapter 3 – Natural Environment, p. 13
(c) a goals and objectives element	<a href="#">L.U. § 3-102(a)(1)(iii)</a>	<a href="#">L.U. § 3-110 -- Goals and objectives element</a>	Throughout and Chapter 11 - Implementation, p. 89
(d) a housing element	<a href="#">L.U. § 3-102(a)(1)(iv)</a>	<a href="#">L.U. § 3-114 -- Housing element</a> SB-687(2021)	Chapter 7 – Housing, p. 61

<b>Checklist of Maryland Code (Land Use Article) Element Requirements for Non-Charter Counties and Municipalities</b>			
<b>Comprehensive Plan Requirements</b>	<b>MD Code Reference</b>	<b>Additional MD Code Reference</b>	<b>Draft Rock Hall Comprehensive Plan</b>
(d) a land use element	<a href="#">L.U. § 3-102(a)(1)(v)</a>	<a href="#">L.U. § 3-111 -- Land use element</a>	Chapter 6 – Land Use, p. 44
(e) a development regulations element	<a href="#">L.U. § 3-102(a)(1)(vi)</a>	<a href="#">L.U. § 3-103 -- Development regulations element</a>	Chapter 11 – Implementation, p. 89
(f) a sensitive areas element	<a href="#">L.U. § 3-102(a)(1)(vii)</a>	<a href="#">L.U. § 3-104 -- Sensitive areas element</a>	Chapter 3 – Natural Environment, p. 13
(g) a transportation element	<a href="#">L.U. § 3-102(a)(1)(viii)</a>	<a href="#">L.U. § 3-105 -- Transportation element</a>	Chapter 8 – Transportation, p. 71
(h) a water resources element	<a href="#">L.U. § 3-102(a)(1)(ix)</a>	<a href="#">L.U. § 3-106 -- Water resources element</a>	Chapter 4 – Water Resources, p. 25
(i) a mineral resources element, IF current geological information is available	<a href="#">L.U. § 3-102(a)(2)</a>	<a href="#">L.U. § 3-107 -- Mineral resources element</a>	N/A
(j) for municipalities only, a municipal growth element	<a href="#">L.U. § 3-102(a)(3)</a>	<a href="#">L.U. § 3-112 -- Municipal growth element</a>	Chapter 5 – Municipal Growth, p. 31
<b>Optional:</b> (2) A comprehensive plan for a non-charter county or municipality <b>MAY</b> include: (a) a community renewal element; (b) a conservation element; (c) a flood control element; (d) a natural resources element; (e) a pollution control element; (f) information concerning the general location and extent of public utilities; and (f) a priority preservation area (PPA) element	<a href="#">L.U. § 3-102(b)</a>	<a href="#">L.U. § 3-102(b)(2)(i)</a>	Chapter 3 – Natural Environment, p. 13
(3) Visions -- A local jurisdiction SHALL through the comprehensive plan implement the 12 planning visions established in L.U. § 1-201	<a href="#">L.U. § 3-201(c)</a>	<a href="#">L.U. § 1-201 -- The 12 Planning Visions</a>	Chapter 1 – Introduction, p.4
<b>Optional:</b> (4) Growth Tiers -- If the local jurisdiction has adopted growth tiers in accordance with L.U. § 1-502, the growth tiers must be incorporated into the jurisdiction's comprehensive plan	<a href="#">L.U. § 1-509</a>		A Tier Map has not been adopted incorporated.

### **Conformance with Section 3-102 of the Land Use Article**

The following analyzes whether the Plan meets the requirements of the municipal comprehensive plan elements, in accordance with the Land Use Article.

## **1. Introduction – Chapter 1**

### **Plan Analysis**

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#### **Comment 1: Page 5 – Authority and Purpose**

The first paragraph references the fact that the Plan has been prepared in accordance with the Land Use Article. However, in 2019, HB 1045 created a new requirement to prepare a housing element to address ‘Workforce Housing’ and ‘Low-Income Housing’ assessments. In 2021, HB 90 expanded this requirement to address ‘Fair Housing’. These requirements should be listed in the summary of changes to the Land Use Article, and the comprehensive plan should be updated to address these requirements. MDP has prepared a Models & Guidelines, as well as several help topics and resources available on the MDP website at: <https://planning.maryland.gov/Pages/OurWork/housing-element-mg/housing-element-home.aspx>

#### **Comment 2: Sustainable Growth and Agriculture Preservation Act (2012)**

The Land Use Article was amended in 2012 to require local governments to decide whether to prepare a growth tier map should they wish to allow major residential subdivisions with on-site septic systems or not adopt a growth tier map and only allow minor subdivision with on-site septic systems. The town has not adopted a growth tier map. If a growth tiers map were to be prepared it must be incorporated into a comprehensive plan update to remain effective, but the town has chosen not included a growth tier map in the Plan. See additional comments in Section 10 – Tier Map.

**Comment 3:** We appreciate your Planning Commission’s participation in the online training that is available. We encourage the Planning Commissioners, and Board of Appeal members to attend the Maryland Planning Commissioners Association (MPCA) [Conference](#), to be held October 24-26, 2023, on Kent Island.

**Comment 4:** The town is commended for submitting its Local Jurisdictional Annual Report each year.

**Comment 5:** Additional changes to the Land Use Article included the preparation of a [5-Year Mid Cycle Report](#). This report will be due 5 years from the adoption of this plan, presumably 2028. The purpose of the 5-Year Mid Cycle Report is to evaluate the status of plan implementation.

MDP maintains a schedule of comprehensive plan updates, annual reporting, and mid-cycle reporting requirements located at:

[https://planning.maryland.gov/Documents/OurWork/compplans/COMP\\_PLAN\\_SCHED\\_MuniRev6\\_22.pdf](https://planning.maryland.gov/Documents/OurWork/compplans/COMP_PLAN_SCHED_MuniRev6_22.pdf)

## **2. Development Regulations Element – Chapter 11 - Synopsis**

The element is required to include the planning commission’s recommendations for land development regulations to implement the plan. Regulations are required to be flexible to promote innovative and cost saving site design, protect the environment and identify areas of growth. The areas identified for

growth are required to encourage flexible regulations, which should further promote economic development using innovative techniques, streamlining the review of applications, including permit review and subdivision processing.

**Plan Analysis**

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Each of the Plan’s elements contain a set of plan objectives. In addition, the town has a Plan Implementation Element – Chapter 12, that sets guidelines and action steps for many of the Plan’s elements. The Growth Element, page 42, also contains several ‘Guiding Principles’ which appear to serve as town policies.

**3. Housing Element – Chapter 7 - Synopsis**

The housing element is required to address the need for housing within the jurisdiction that is affordable to low-income and workforce households. The housing element is required to also assess fair housing (HB 90, 2021), and ensure that a jurisdiction is affirmatively furthering fair housing through its housing and urban development programs.

**Plan Analysis**

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**Comment 1:** The housing element expresses the town’s desire to “include a greater mix of housing variety” and Objective 1, page 67, promotes affordable housing. Nearly 37% of the town’s residents are cost burdened. However, the housing element does not appear to fully “address the need for affordable housing with the local jurisdiction”, as it does not define the need based on the definitions of workforce housing and low-income housing established in the Land Use Article and section 4-1801 of the Housing and Community Development Article. MDP recommends that the housing element include a description of the demand (or “need”) for affordable housing based on the United States Department of Housing and Community Development’s (US HUD) Area Median Income (AMI) for Rock Hall, as defined in the Maryland code sections listed above. The following AMI ranges are available on MDP’s [Housing Data Dashboard](#).

<b>2023 AMI for Rock Hall town[Kent County, MD] :</b>	<b>\$103,400</b>
<b>HB 1045 Household Income Levels/Ranges</b>	
Workforce Ownership Range (60% - 120% AMI) :	\$62,040 - \$124,080
Workforce Rental Range (50% - 120% AMI) :	\$51,700 - \$103,400
Low Income (< 60% AMI) :	\$62,040
<b>Affordable Homeowner/Rental Monthly Payments (Based on 30% of Household Income)</b>	
Workforce Ownership Range :	\$1,499 - \$2,999
Workforce Rental Range :	\$1,249 - \$2,499
Low Income :	\$1,499
*The ranges and limits in this table are calculated using .29% of income as a measure of cost burden.	

Establishing housing affordability need by AMI will not only meet the requirements of the Land Use Article, but also better communicate the measurable affordable housing cost objectives of Plan implementation to residents and other stakeholders.

**Comment 2:** The housing element provides a definition of fair housing (page 64) and states that assisted living is restricted in the vast majority of the town and with limited R-3 zoned lands, the lowest income housing is concentrated to one part of the community. However, there are no corresponding recommendations to affirmatively further fair housing. MDP suggests that the town confer with its attorney, resident, and other stakeholders whether this statement alone meets Land Use Article section 3-114's requirements that "Local jurisdictions have a duty to affirmatively further fair housing through their housing and urban development programs", as well as the requirement to "include an assessment of fair housing to ensure the jurisdiction is affirmatively furthering fair housing".

The HB 90 (2021) legislation which added fair housing requirements to housing elements does not define what an assessment of fair housing entails, but MDP has developed [this webpage](#), which describes available fair housing resources and best practices and how jurisdictions might consider using them in their housing elements. It includes a section on data and mapping resources which may help you with a quantitative assessment. It also includes self-assessment and community engagement questions which you might use (or expand upon) to conduct a qualitative assessment of fair housing in Rock Hall. MDP is still developing more HB 90 resources. The town should address this new requirement in this Plan update and include a plan objective/policy to complete this assessment within the planning horizon.

DHCD also developed this [AFFH survey](#) to help jurisdictions that need to meet the DHCD reporting requirements of HB 90, which are separate from the housing element requirements. The survey does not equate to completing a fair housing assessment, but it does include many fair housing questions and opportunities that could be part of such an assessment.

Through either or both quantitative and qualitative analysis, your housing element should assess the state of fair housing in your community and any impediments to it. Below are some guidance/examples on how data and stakeholder input could inform a fair housing assessment, as well as some options for the analysis itself.

Our research into affirmatively furthering fair housing (AFFH) has shown that a traditional US HUD assessment of fair housing includes an analysis of the following four housing issues in a community:

- 1. Patterns of segregation/integration:** Areas within the jurisdiction that are residentially segregated by protected class
- 2. Racially or Ethnically Concentrated Areas of Poverty (R/ECAPS):** US HUD defines r/ecaps in *metropolitan areas* as census tracts with a non-white population of 50 percent or more and a poverty rate of 40 percent or more (or a poverty rate that is three or more times the average tract poverty rate for the metropolitan area, whichever threshold is lower). For rural areas, HUD lowers the non-white percentage threshold to 20 percent.
- 3. Disparities in access to opportunity:** Areas within the community/jurisdiction that provide access to opportunity, such as good schools, medical facilities, employment centers, positive public health

outcomes, and low crime rates. A fair housing assessment would consider if protected classes have less access to such areas.

**4. Disproportionate housing needs:** An analysis considering whether certain areas or populations within a community, particularly protected classes, have disproportionate housing needs than other areas or populations.

The Land Use Article does not state that these four issues must be included in an assessment of fair housing in a housing element, nor is MDP setting any standards for what must be included. We encourage you to discuss the legal requirements of the assessment with your attorney.

MDP staff are also available to meet with you and discuss your needs and objectives in more detail.

#### 4. Sensitive Areas Element – Chapter 3 - Synopsis

The sensitive areas element is required to include the goals, objectives, principles, policies, and standards designed to protect sensitive areas from the adverse effects of development (more recently referred to as climate change impacts). The Land Use Article also assigns sensitive areas element data provision and review responsibilities to the MDE and Department of Natural Resources (DNR).

#### Plan Analysis

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**Comment 1:** Page 19 – Exhibit 8: Town of Rock Hall Critical Area

It appears that the legend for Exhibit 8 has been cut off. As a result, the red, yellow, and green shades that cover various categories of Critical Area are identified only in the text (or in Appendix A). It is recommended that the map legend be repositioned to show what the colors on the map represent.

**Comment 2:** Pages 22-23 – Objectives and Recommendations

The element contains several objectives and recommendations, such as high quality site design for land development, preparing a Master Plan for Coastal Resiliency, instituting a town forestry program, and adopting stream buffer protection regulations. However, these recommendations are not addressed in the Plan Implementation Element, Chapter 11. This is also true throughout the various Plan Elements. The town should review the various objectives, recommendations, and principles found throughout the Plan and consider including those as part of Chapter 11.

#### 5. Transportation Element – Chapter 8 - Synopsis

The transportation element is required to reasonably project into the future the most appropriate and desirable location, character, and extent of transportation facilities to move individuals and goods, provide for bicycle and pedestrian access and travelways, and estimate the use of proposed improvements.

#### Plan Analysis

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**Comment 1:** MDP strongly supports the recommendation of developing a bicycle and pedestrian plan for the town. The pedestrian and bicycle plan should be for both recreational and transportation purposes. MDP staff suggests the town be cautious about emphasizing the separation of vehicle traffic



from pedestrians and bikers. With a limited number of streets and roads in the town, separating vehicle traffic from pedestrians/bikers is challenging or may not be practical in some cases. Implementing and enforcing low vehicle travel speeds on roadways in a small town could be good for both traffic safety and accommodating walking and biking. For reference on how to address pedestrian and bicycle network enhancements in small towns and rural communities, please check out [this link](#) for the Federal Highway Administration’s report on “Small Town and Rural Multimodal Networks.”

**Comment 2:** MDP staff suggests the town’s development regulations require installing sidewalks and/or pathway connections if the current regulations do not include the requirement.

**Comment 3:** It appears that Chapter 11- Implementation only addresses certain priority recommendations but not all recommendations proposed in the Plan. For example, the following important transportation recommendations are not included in the implementation plan: developing an Official Map of Streets; adopting roadway improvement standards; initiating a harbor line study/program for the town waterfront; and addressing non-bus demand responsive transit services for elderly and others. Chapter 11 should provide an implementation plan with implementation timeframes, public and private responsibilities, and funding and resource mechanisms for all Plan recommendations.

**Comment 4:** As a tourism destination, the town may want to support the installation of electric vehicle charging stations. For reference, [Maryland EV](#), a state EV website, provides the information on EV infrastructure incentive programs and related topics and resources.

**Comment 5:** MDP recognizes a key issue of the Plan is to address climate resilience. We are glad to see all relevant chapters have discussed this emerging issue. US DOT and MDOT provide various funding and technical resources to help local jurisdictions address transportation related climate resilience issues. As a reference, here is [the link](#) to a MDOT’s presentation regarding “MDOT Grants – Resources for Local Partners.”

## 6. Water Resources Element – Chapter 4 – Synopsis

The Water Resource Element (WRE) is required to consider available data provided by the Maryland Department of the Environment (MDE) to identify drinking water that will be adequate for the needs of existing and future development proposed in the plan, as well as suitable receiving waters and land areas to meet stormwater management and wastewater treatment and disposal needs. MDE and MDP are available to provide technical assistance to prepare the water resources element, ensuring consistency with MDE programs and goals. MDP jointly developed [WRE guidance](#) to demonstrate how local governments can ensure compliance with the WRE requirements. Local jurisdictions are expected to implement the most important aspects of the MDE/MDP WRE guidance. A [checklist of best practices](#) is also available.

### Plan Analysis

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**Comment 1:** Page 28 of the WRE states that, based on the Kent County Comprehensive Plan’s calculations, there is assimilative capacity to increase the town’s discharge; however, the projected growth for the town from the county plan is not included. It would be helpful to see if/how the county’s projected growth for the town compares to the town’s projected growth and how they both compare to the Total Maximum Daily Load’s (TMDLs). MDP recommends this information be added to the WRE.

**Comment 2:** Page 36 of the Plan identifies the first “7.3% Share of County” growth scenario as its chosen scenario. However, it is not incorporated into the WRE. MDP recommends that the town include the analysis from the preferred growth scenario into the WRE, including its impact on water and sewer capacities.

**Comment 3:** A checklist of best practices to identify and plan for suitable receiving waters is within the 2022 WRE Guidance at <https://planning.maryland.gov/Pages/OurWork/envr-planning/water-resources-mg/2022/02/framework-checklist.aspx>. The state requests that local governments meet the best practices in this WRE Guidance Update as best as they can within the limitations of cost and time. The town has addressed many of these elements in its WRE and within other chapters in the Plan, such as discussing the watershed and streams water quality; explaining TMDLs; outlining specific objectives and recommendations for protecting water quality; creating a resource conservation land use for low-lying/flood-prone areas within the Land Use Plan; explaining the town’s flood management process including enforcement of the stormwater management regulations and planning upgrades to the zoning ordinance; planning to prepare a source water protection plan or coordinate with the county on a plan; and planning to adopt a municipal wellhead protection ordinance. Some examples of best practices from the checklist that the town should consider implementing include a Water Quality Restoration Planning Process—as described in Comment 1 above, it would be helpful to see if/how the county’s projected growth for the town compares to the town’s projected growth and how they both compare to the TMDLs; load reduction tracking; and strategies for ensuring a higher-than-minimum-requirements-level of water quality restoration and protection., it would be helpful to see if/how the county’s projected growth for the town compares to the town’s projected growth and how they both compare to the TMDLs; load reduction tracking; and strategies for ensuring a higher-than-minimum-requirements-level of water quality restoration and protection.

**Comment 4:** All local jurisdictions in Maryland are and will continue to experience climate change impacts on water resources and water infrastructure (water, sewer, and stormwater), as well as water impacts on communities. The WRE should be adjusted to include strategies focused on improving local understanding of current or expected water-related climate change impacts at the local level, and if sufficient information exists, the chapter should add strategies to address these impacts. Best practices for integrating water-related climate change adaptation into the comprehensive plan are listed at <https://planning.maryland.gov/Pages/OurWork/envr-planning/water-resources-mg/2022/03/climatechange-checklist.aspx>. MDP acknowledges that the Plan discusses sea level rise and other climate change concerns and how they will impact the town; however, this information is not incorporated into the WRE, except for references to the WRE’s connection to other chapters.

**Comment 5:** If the land use changes in the town’s Plan are planned in a watershed(s) prone to riverine or urban flooding, then the WRE should be adjusted to incorporate the flooding-related components of the 2022 WRE guidance. See <https://planning.maryland.gov/Pages/OurWork/envr-planning/water-resources-mg/2022/02/framework-cwa-wqfloodmgmt.aspx>. At a minimum, the WRE should indicate the extent of current local knowledge concerning flood-prone areas and should discuss whether implementation of the land use plan will increase, decrease, or have no effect on those flood-prone areas. If the local government does not know what type of impact implementation of the land use plan will have on flood-prone areas, then at a minimum, the WRE should call for a study to determine this. MDP acknowledges that the Plan discusses establishment of the Resource Conservation land use to limit growth/development in flood-vulnerable portions of the town and that the MGE states that the 83 acres of the growth area within the Resource Conservation land use should remain undeveloped or, at least,

undisturbed. However, this information is not incorporated into the WRE, except for references to the WRE's connection to other chapters.

**Comment 6:** Page 37 – Public Schools

With such a high rate of seasonal and vacant housing (~28%), the public-school analysis should probably be adjusted to reflect that a portion of new households will not yield school aged residents.

**7. Land Use Plan - Chapter 6 - Synopsis**

The land use element is required to reasonably project into the future the most appropriate and desirable patterns for the general location, character, extent, and interrelationship of the uses of public and private land.

**Plan Analysis**

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**Comment 1:** Page 45 – Agriculture

In the 40-acre agricultural parcel, consider a future zoning category that will permit community gardens.

**Comment 2:** Page 48 – Objective 4

Consider referencing the Sustainable Communities as a tool for revitalization.

**Comment 3:** Page 50 – Resource Conservation

The town is considering the creation of a new zoning classification, Resource Conservation. MDP regional staff is available to assist.

**8. Community Facilities Element - Chapter 9 - Synopsis**

The community facilities element is required to propose, as far into the future as is reasonable, the most appropriate and desirable patterns for the general location, character, and extent of public and semipublic buildings, land, and facilities. These facilities may include, but are not limited to fire stations, libraries, cultural facilities, hospitals, places of worship, school and education facilities, and parks.

**Plan Analysis**

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**Comment 1:** Page 83 – Continue to upgrade the water and sewer systems

The upgrades to these systems must be coordinated with the Kent County Comprehensive Water & Sewerage Plan (WSP). The town should ensure that all future water and sewer service and facilities are expressly noted in the WSP.

**9. Municipal Growth Element - Chapter 5 - Synopsis**

The municipal growth element (MGE) is only required in Maryland municipal comprehensive plans. The MGE is required to plan for and describe the municipality's past growth patterns, the capacity of land available for new and infill development, and areas outside of the existing corporate boundaries into which the municipality wishes to grow. The MGE is required to calculate the land area needed to satisfy the demand for growth based on population projections and desired densities. The MGE needs to consider and include any rural buffers, transition areas, and sensitive areas to be protected. MGEs are also required to consider and plan for the community facilities and public infrastructure, as well as their

financing mechanisms, required to accommodate desired growth. If a municipality wishes to annex land, such areas are required to be included and described in the MGE.

## Plan Analysis

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**Comment 1:** The 3<sup>rd</sup> alternative population projection through 2040 on page 34 of the MGE lists a projected population of 905 but does not state the number of households. MDP recommends this information be included.

**Comment 2:** Page 33 of the MGE describes that the first “7.3% Share of County” growth scenario projects 775 households, but later in the Plan, page 36 states that that scenario results in 764 households. MDP recommends this discrepancy be resolved.

**Comment 3:** Table 3 on page 37 of the MGE forecasts the “estimated impact of an increase of 174 households” on water and sewer capacity in 2040; however, non-residential demand for water and sewer through 2040 is not included. MDP recommends the town estimate non-residential demand and add it to the MGE and WRE where appropriate.

**Comment 4:** Pages 39–42 of the MGE describe the town’s strategy for growth through annexation. While the Plan states that “[t]he complete build-out of the growth area would only occur in the distant future, beyond this Plan’s time horizon of 2040” (page 42), it would be helpful to show an estimate of the increased demand for water and sewer under a buildout scenario compared to available water and wastewater system capacities.

**Comment 5:** Page 42 – Coordination with the County

The town is commended for recognizing that future water and sewerage improvements will need to be coordinated with Kent County and incorporated into an amendment to the Kent County Master Water and Sewerage Plan (WSP). MDP strongly suggests that the town consider this action as a priority to ensure that any future facility needs are expressly stated in the adopted WSP, particularly the need for additional water wells. This coordination with the county should clarify the position of the town stated in Principle 2, page 421, for areas served by the county. In some recent instances, sewer extensions have occurred outside of the town boundaries to address septic tank failure, and these areas are not intended for future annexation nor identified in the town’s growth areas. MDP recommends that the town consider re-wording Principle 2 to include that the extension of municipal water and sewer infrastructure may be provided in response to failing wells or septic.

## 10. Tier Map

The town has not adopted a [Growth Tier Map](#) as provided under the 2012 Sustainable Growth and Preservation Act. If the town wants future major residential subdivision to be served by public sewer within the town boundary, and discourage the potential of major residential subdivision with on-site septic system being built immediately outside the town boundary, the town should consider incorporating a Growth Tier Map into the comprehensive plan, as provided for in §1–509 of the Land Use Article, by the time the town conducts the review of the plan under §1-416(a) or §3-301(a) of the Land Use Article. The town should review its tier map against the proposed Growth/Annexation Plan (Figure 6, page 21) and make any updates needed to ensure conformance to the statutory mapping criteria in Section 1-508 of the Land Use Article. MDP generally recommends a Tier II designation for areas with county-planned sewer service, a Tier IIA designation for municipal growth areas planned for

sewer service that are not yet in the county water/sewer plan, and a Tier IVA designation for municipal greenbelts that aren't yet annexed into the town.

Under §1-504 of the Land Use Article, if the town adopts a growth tier map, then the town must notify and provide MDP with all information necessary to allow for the department's detailed review required under §1-505 of the Land Use Article. If requested, MDP can complete a detailed review of any proposed tier map amendment before the plan is adopted.

**11. The Town of Rock Hall is a Sustainable Community**

Rock Hall has designated the bulk of the town as a Sustainable Community. As part of the Sustainable Community designation, quality of life, environment, economy, transportation, housing, planning and land use, and local capacity are all subjects of the action plan. The Sustainable Communities Action Plan requires periodic updates to maintain the town's qualification for various grant funding opportunities. MDP suggests the town review the Rock Hall Sustainable Communities Action Plan for consistency with the Plan and consider how the action plan strategies, and the financial incentives provided in the Sustainable Communities designation can support plan implementation. MDP regional staff can assist with review.

Contact the DHCD, Sustainable Communities Program for more information:

<https://dhcd.maryland.gov/Communities/Pages/dn/default.aspx>

**Maryland Department of Planning Review Comments  
Draft Plan**

**STATE AGENCY COMMENTS**

The following are state agency comments in support of MDP's review of the draft plan. Comments not included here may be submitted under separate cover, or via the State Clearinghouse. If comments from other agencies are received by MDP, the department will forward them to the Town of Rock Hall as soon as possible.

**Attachments**

- Page # 14: Maryland Department of Housing and Community Development
- Page # 17: Maryland Department of Environment
- Page # 19: Maryland Department of Natural Resources & Critical Area
- Page # 23: Maryland Historical Trust

September 5, 2023

Joseph Griffiths  
Manager of Local Assistance and Training  
Maryland Department of Planning  
301 West Preston Street, 11th Floor  
Baltimore, MD 21201

Dear Mr. Griffiths,

Thank you for the opportunity to review and comment on the Town of Rock Hall's Comprehensive Plan: 2040 (the "Plan"). When reviewing plans, the Maryland Department of Housing and Community Development ("DHCD") comments on items for which political subdivisions can strategically leverage DHCD's resources to accomplish their housing and community development goals. DHCD also reviews comprehensive plans for consistency with relevant statutes and, if appropriate, Sustainable Communities Action Plans.

Overall, DHCD staff were impressed with the quality of the Plan. Staff in the DHCD Division of Neighborhood Revitalization reviewed the plan and provided the following comments, which are meant to help realize the Plan's goals. We present the following in no particular order:

1. The housing and economic development components of the Plan are consistent with and build upon the Sustainable Communities Action Plan.
2. The Plan identifies a need to revitalize the community through adaptive reuse for which the DHCD's Community Legacy Program grants could assist. for which the DHCD's Community Legacy Program grants could assist. Planning staff can learn more about Community Legacy online at <https://dhcd.maryland.gov/Communities/Pages/programs/CL.aspx> or contact Bill Hersch at 410-209-5810 or [william.hersch@maryland.gov](mailto:william.hersch@maryland.gov).
3. DHCD can further assist with home repairs that improve comfort, livability, and accessibility for homeowners through its Special Loan Programs. Planning staff and residents can learn more about these programs at <https://dhcd.maryland.gov/Residents/Pages/SpecialLoans.aspx> or contact the program directly at 301-429-7409 or [DHCD.SpecialLoans@maryland.gov](mailto:DHCD.SpecialLoans@maryland.gov).
4. The Plan identifies a need for infill development for which DHCD's Strategic Demolition Fund (SDF) grants could assist. Planning staff can learn more about SDF online at

<https://dhcd.maryland.gov/Communities/Pages/programs/SDF.aspx> or contact Bill Hersch at 410-209-5810 or [william.hersch@maryland.gov](mailto:william.hersch@maryland.gov).

5. The Plan does not show that Rock Hall has conducted a point-in-time count to identify the total number of people experiencing homelessness in Rock Hall, and the Plan does not identify goals or actions regarding services for people experiencing homelessness. For information on DHCD's programs addressing homelessness, please see more online at <https://dhcd.maryland.gov/HomelessServices/Pages/GrantFunding.aspx> or contact the Homelessness Solutions Program Manager, Suzanne Korff, at 410-209-5850 or [Suzanne.Korff@maryland.gov](mailto:Suzanne.Korff@maryland.gov). Persons experiencing homelessness who need assistance should call 1-888-407-8018.
6. The Plan identifies the community's needs with respect to income and poverty. Rock Hall or non-profits active in Rock Hall may be eligible to apply for discretionary Community Services Block Grant (CSBG) funds administered by DHCD in order to provide services for low-income individuals and families at or below 125% of poverty. Planning staff can learn more about CSBG programs online at <https://dhcd.maryland.gov/Communities/Pages/programs/CSBG.aspx> or contact the Poverty Solutions Team at 301-429-7525 or [csbg.dhcd@maryland.gov](mailto:csbg.dhcd@maryland.gov).
7. The Plan identifies a need for affordable housing, including workforce and low-income housing. Rock Hall currently has one development supported through Low-Income Housing Tax Credits (LIHTC) with 104 units. If planning staff want to support further affordable housing development with LIHTC or other DHCD programs, information is available online at <https://dhcd.maryland.gov/HousingDevelopment/Pages/lihtc/default.aspx> or contact Edward Barnett, Director of Rental Lending, at 301-429-7740 or [edward.barnett@maryland.gov](mailto:edward.barnett@maryland.gov).
8. All of Rock Hall is within a Maryland Mortgage Program ("MMP") target area and residents therefore have enhanced eligibility for the state's homeownership incentives. Planning staff and residents may learn more about Maryland's homeownership programs at <https://mmp.maryland.gov/pages/default.aspx>.
9. The Plan identifies a need to support businesses on Rock Hall's main street. Info on DHCD's support for businesses can be found online at <https://dhcd.maryland.gov/Business/Pages/SmallBusinesses.aspx> or by contacting Mike Haloskey, Director of Business Lending Programs, at 301-429-7523 or [Michael.Haloskey@maryland.gov](mailto:Michael.Haloskey@maryland.gov).
10. The Plan identifies a need for infrastructure improvements that increase bike and pedestrian safety. DHCD's Community Safety Works program is a potential resource to support these projects. More information on the program can be found online at <https://dhcd.maryland.gov/Communities/Pages/csw/default.aspx> or by contacting Todd Scott, Program Director, at 410-209-5818 or [todd.scott@maryland.gov](mailto:todd.scott@maryland.gov).





11. The Plan identifies a need to support green infrastructure. DHCD has several programs that support energy efficiency for single-family and multifamily homes, and more information on those programs can be found online at <https://dhcd.maryland.gov/Pages/EnergyEfficiency/default.aspx>.
12. The Plan addresses residential vacancy but does not address commercial vacancy. DHCD's Project Restore can be leveraged to attract and retain businesses that occupy vacant commercial properties. More information on the program can be found online at <https://dhcd.maryland.gov/Pages/ProjectRestore/default.aspx> or by contacting Kristin Dawson at 410-209-5847 or [kristin.dawson@maryland.gov](mailto:kristin.dawson@maryland.gov).
13. The Plan's Housing Element includes an assessment of fair housing as required by the Maryland Annotated Code. For technical assistance in further development of the Plan's Housing Element with respect to fair housing, please contact staff at the Maryland Department of Planning.

We in the Division of Neighborhood Revitalization look forward to continuing our productive partnership with Rock Hall in its future initiatives. Again, thank you for the opportunity to comment on the Plan. If you have any questions regarding the comments above, please contact me at [carter.reitman@maryland.gov](mailto:carter.reitman@maryland.gov) or 410-209-5849.

Sincerely,

Carter Reitman  
Program Manager, State Revitalization Programs

Cc: David Dahlstrom, Maryland Department of Planning  
Bill Hersch, DHCD Division of Neighborhood Revitalization  
John Papagni, DHCD Division of Neighborhood Revitalization





**Maryland**  
Department of  
the Environment

Wes Moore, Governor  
Aruna Miller, Lt. Governor

Serena McIlwain, Secretary  
Suzanne E. Dorsey, Deputy Secretary

September 11, 2023

Mr. David Dahlstrom  
Maryland Department of Planning  
301 West Preston Street  
Suite 1101  
Baltimore, MD 21201

RE: Local Plan Review: Town of Rock Hall Comprehensive Plan Appendices  
MD20230814-0711

Dear Mr. Dahlstrom,

Below are the comments from the Maryland Department of the Environment regarding the above referenced project. Our response code is R1.

1. Emissions from mobile sources are one of the primary contributors to both climate change and local air pollution, vehicles powered by electricity are one way to reduce the impacts of these emissions. A variety of funding initiatives are becoming available to allow for the faster adoption of electric vehicles, any funding opportunity that can help with this should be examined, especially for electric vehicle charging or refueling infrastructure.
2. The Comprehensive Plan indicates that the Town is adding a new production well. This new well should be included as improvements to the Town's system in the County's Comprehensive Water and Sewerage Plan.
3. Any above ground or underground petroleum storage tanks, which may be utilized, must be installed and maintained in accordance with applicable State and federal laws and regulations. Underground storage tanks must be registered and the installation must be conducted and performed by a contractor certified to install underground storage tanks by the Land and Materials Administration in accordance with COMAR 26.10. Contact the Oil Control Program at (410) 537-3442 for additional information.
4. If the proposed project involves demolition – Any above ground or underground petroleum storage tanks that may be on site must have contents and tanks along with any contamination removed. Please contact the Oil Control Program at (410) 537-3442 for additional information.
5. Any solid waste including construction, demolition and land clearing debris, generated from the subject project, must be properly disposed of at a permitted solid waste acceptance facility, or recycled if possible. Contact the Solid Waste Program at (410) 537-3315 for additional information

regarding solid waste activities and contact the Resource Management Program at (410) 537-3314 for additional information regarding recycling activities.

6. The Solid Waste Program should be contacted directly at (410) 537-3315 by those facilities which generate or propose to generate or handle hazardous wastes to ensure these activities are being conducted in compliance with applicable State and federal laws and regulations. The Program should also be contacted prior to construction activities to ensure that the treatment, storage or disposal of hazardous wastes and low-level radioactive wastes at the facility will be conducted in compliance with applicable State and federal laws and regulations.

7. Any contract specifying "lead paint abatement" must comply with Code of Maryland Regulations (COMAR) 26.16.01 - Accreditation and Training for Lead Paint Abatement Services. If a property was built before 1978 and will be used as rental housing, then compliance with COMAR 26.16.02 - Reduction of Lead Risk in Housing; and Environment Article Title 6, Subtitle 8, is required. Additional guidance regarding projects where lead paint may be encountered can be obtained by contacting the Environmental Lead Division at (410) 537-3825.

8. The proposed project may involve rehabilitation, redevelopment, revitalization, or property acquisition of commercial, industrial property. Accordingly, MDE's Brownfields Site Assessment and Voluntary Cleanup Programs (VCP) may provide valuable assistance to you in this project. These programs involve environmental site assessment in accordance with accepted industry and financial institution standards for property transfer. For specific information about these programs and eligibility, please Land Restoration Program at (410) 537-3437.

9. Borrow areas used to provide clean earth back fill material may require a surface mine permit. Disposal of excess cut material at a surface mine may requires site approval. Contact the Mining Program at (410) 537-3557 for further details.

Please let me know if you have any questions or concerns.

Sincerely,

*Amanda R. Redmiles*

Amanda R. Redmiles  
Interdepartmental Information Liaison  
Maryland Department of the Environment



Wes Moore, Governor  
Aruna Miller, Lt. Governor  
Josh Kurtz, Secretary  
David Goshorn, Deputy Secretary

Maryland Department of Planning  
301 West Preston Street  
Suite 1101  
Baltimore, MD 21201

September 8, 2023

Memo: DNR comments on the Town of Rock Hall Comprehensive Plan

To: David Dahlstrom  
cc: Rita Pritchett

On behalf of the Department of Natural Resources, thank you for the opportunity to comment on the Draft Town of Rock Hall Comprehensive Plan. The draft plan was distributed to appropriate contacts at the Maryland Department of Natural Resources (DNR) and reviewed. Both the Chesapeake and Coastal Service (CCS) and Fishing and Boating Service provided comments commended the town for incorporating sea level rise into the Comprehensive Plan and offered the following comments:

The Maryland Department of Natural Resources, Fishing and Boating Service thanks the Town of Rock Hall for the opportunity to comment on its 2023 Comprehensive Plan. We commend the Town for recognizing the importance of protecting its natural resources while preparing for the future as sea level rise (SLR) becomes an increasing threat for Rock Hall. Population growth has decreased over the last 20 years at roughly 14% and is similar to population size of the 1970s. Population growth forecast for 2040 is projected to be slow by Maryland Department of Planning; Town of Rock Hall wants to focus future growth to capitalize on its natural, economic, and cultural resources to become more economically vibrant and to add year-round residents to help secure the essential institutions, businesses, and sense of community that embodies Rock Hall (pg. 34).

Specific sections of the plan of significant importance to us, and our associated comments, are below:

- Pages 14 – Stream and Stream Buffers  
Fishing and Boating Services supports planting native trees to increase the amount of riparian buffer on streams and waterways. Riparian forests play a role in improving water quality, but also increase production of invertebrates that provide food for fish. We encourage the town to continue to implement forest cover in both urban and riparian areas by implanting natural buffers at maximum distance available.
- Pages 23 and 30 – Minimize New Impervious Surface and Town's Green Infrastructure  
We support the County's effort to minimize impacts from new development(s) with innovative techniques and we encourage the Town to continue promoting new advances in environmental site design and green building techniques. While pervious surfaces do allow for some infiltration, there are some concerns regarding soil compaction underneath. Development proposals that incorporate design measures which will support natural environmental assets and minimize impacts on sensitive natural features is especially commendable, specifically plans for clustering development which would reduce the amount of infrastructure and its associated impacts.

- Pages 57 - The Rock Hall Waterfront Master Plan  
Fishing and Boating Services supports the Town's vision to maintain its historical culture and tradition, as this vision is consistent with research that associates rural lands with sustainable fisheries. The Department of Natural Resources (DNR) Fishing and Boating Services Unit has studied the impacts of development on Fisheries. Our studies indicate that increased development in a watershed is associated with stressors that limit healthy fish habitat. Habitat conditions that favor tidal and non-tidal fisheries are maintained in rural watersheds where impervious surface is less than 5% (0-0.15 structures per acre). In watersheds with 5-10% (0.15-0.35 structures per acre) impervious cover, habitat begins to decline, requiring more aggressive management of fisheries to compensate for habitat losses. Fisheries management options are limited in watersheds when impervious cover is greater than 10% (> 0.35 structures per acre). While there are many restoration options that can be applied to rehabilitate streams and stream habitat, we have no current data to suggest they effectively reinstate tidal and non-tidal habitat to support recovery of lost functions essential to supporting healthy fisheries and stream biodiversity. To date, the most successful strategy to maintain healthy fisheries is to maintain the rural character (farms and forests) of watersheds. The Upper-Bay and the Chester River are important spawning grounds for several recreational and commercial species. Spawning habitat within these rivers ranges from good, high priority areas to fair, moderate priority areas. These designations were determined by examining historical use of spawning habitat and the present condition of the landscape. Areas designated as high and moderate priority habitats are associated with productive fisheries. Maintaining the rural character of these areas will aid in maintaining the integrity of the habitat and production of key fisheries. Commercial fishing in waterways of Kent County is historically rooted in the county's rural heritage. In 1920, Kent County was third in landings of American Shad which was the dominant fishery of that time. Oysters were also commercially harvested. Throughout the Chester River and Chesapeake Bay around Kent County reaching as far north as Fairlee Creek. Commercial fisheries today target oysters, Striped Bass, White and Yellow Perch, Blue Crabs, Catfish, and Eel. Recreational anglers enjoy fishing for Striped Bass, Catfish, White and Yellow Perch, Sunfish, and Blue Crabs. The upper Chesapeake Bay supports a popular and economically important fishery for black bass. Unlike many of the other fisheries listed, there is no commercial harvest of this species.

While the Town of Rock Hall represents just a small footprint in the larger Upper Bay watershed, we would still encourage the Town to limit the development of rural land by minimizing the addition of impervious surfaces through revitalization approaches that will allow the Town to grow their working waterfronts, while also minimizing disturbance to natural resources.

- Page 26 – Lower Chester River Watershed  
The Chesapeake Conservancy 1-meter resolution land cover data (2017-2018) indicates land use for the Lower Chester River watershed is 45.1% agriculture, 31.1% forest, 7.6% wetland, 12.2% developed, while the entire Chester River watershed is 58.2% agriculture, 28.3% forest, 2.5% wetland, and 8.7% developed. Controlling watershed development and reducing runoff are important for minimizing fish habitat deterioration. We support any actions that conserve remaining forests, wetlands, and natural lands in watersheds that drain through the Town, the County, and into the Chesapeake Bay. The importance of minimizing runoff and sediment by conserving rural areas through well planned growth and best management practices where growth occurs cannot be overstated. In addition to managing nutrient and sediment runoff, management practices should minimize or eliminate chemicals that are toxic or damaging to aquatic life (road salt, heavy metals, pesticides, endocrine disruptors, etc.) and avoid extensive disruption of natural flow and temperature regimes. Any future development should be coupled with management practices outlined in the plan. The Fisheries Habitat and Ecosystem Program can supply additional information on habitat threats and status. Please contact Program Manager, Jim Uphoff at [jim.uphoff@maryland.gov](mailto:jim.uphoff@maryland.gov) for more information.

CCS also commends the Town for acknowledging that sea level rise and high tide flooding will impact that Town given its geographical location and relationship to the water. Specifically, CCS supports the Town's effort to integrate sea level rise considerations throughout multiple sections of this plan including the chapters on Natural Environment, Land Use, and Community Facilities. CCS has the following comments:

- Page 7 – Vision for the future  
Given the 2040 Vision and the Town's unique connection to the water the town's principles to guide decision making on page 7 should acknowledge the challenge and the desire to adapt and grow in a way that does not intensify those impacts and reduces risk.
- Page 20 – Sea Level Rise  
The citation with page number from the 2018 MD SLR projections for 2.1ft. Consider: Are there opportunities for resource conservation/parks in the areas identified to be impacted by SLR and/or current day high tide flooding that have not been identified on Map 6? How do vacant lots factor in?
- Pg 57 – Waterfront Master Plan  
Consider adding language that when updating the Waterfront Master Plan it will include recommendations for how the water dependent business will adapt to high tide flooding and SLR to continue to grow and thrive.

If the Town would like to explore the possibility of a Coastal Master Plan, this process could be supported through a DNR Grant. The Chesapeake and Coastal Service has a grant open now through the Grants Gateway portal, Outcome 2 that will support this work. The deadline to apply is Dec 14, 2023 and is open annually from July-December. Please contact our Coastal Resilience Program Director, Sasha Land, at [sasha.land@maryland.gov](mailto:sasha.land@maryland.gov) if you would like more information.

Once again, we thank you for the opportunity to review this document and provide feedback. If you have any questions about these comments or would like further information, please do not hesitate to contact me at 443-534-4151 or [christine.burns1@maryland.gov](mailto:christine.burns1@maryland.gov).

Best,  
Christine Burns



Michael Grassmann -DNR- <michael.grassmann@maryland.gov>

## Town of Rock Hall Comp Plan

1 message

Michael Grassmann -DNR- <michael.grassmann@maryland.gov>  
To: Michael Grassmann -DNR- <michael.grassmann@maryland.gov>

Thu, Aug 24, 2023 at 4:22 PM

Hello,

After reviewing the Town of Rock Hall's Comprehensive Plan, our office finds it is generally consistent with CriticalArea law and regulations. However, some of the proposed zoning changes and text amendments will require further coordination with Commission staff or full Commission review and approval. Please feel free to contact me if you have any questions or require additional information.

Kind regards,



[dnr.maryland.gov/criticalarea](http://dnr.maryland.gov/criticalarea)

Michael Grassmann
Natural Resource Planner
Critical Area Commission for the
Chesapeake & Atlantic Coastal Bays
1804 West Street, Suite 100
Annapolis, MD 21401
<a href="tel:410-260-3462">410-260-3462</a> (office)
Mon, Wed, Fri
<a href="tel:410-271-5833">410-271-5833</a> (mobile)
Tues, Thurs
<a href="mailto:michael.grassmann@maryland.gov">michael.grassmann@maryland.gov</a>



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**Maryland**  
**DEPARTMENT OF PLANNING**  
**MARYLAND HISTORICAL TRUST**

September 8, 2023

Mr. David Dahlstrom, AICP  
Upper Shore Regional Planner  
Maryland Department of Planning  
301 West Preston Street, 11th Floor  
Baltimore, MD 21201

Dear Mr. Dahlstrom:

Thank you for the opportunity to review the Town of Rock Hall’s draft Comprehensive Plan: 2040 and submit comments on behalf of the Maryland Historical Trust (MHT). Overall, we find the plan draft well-written and sensitive to historical and cultural resources. Minor comments on “Chapter 10: Historic and Cultural Heritage” are detailed below.

p. 85 We recommend including a map and a list of properties within Rock Hall’s jurisdiction that have been listed in the National Register of Historic Places, found eligible for listing in the National Register, and surveyed for inclusion in the Maryland Inventory of Historic Properties (MIHP). These can be explored through [Medusa](#), the state’s cultural resources information management system, by inputting “Rock Hall, MD” in the search bar of the map-based application. A cursory look shows that the Rock Hall Historic District (K-666) appears in the MIHP. Many financial incentives, including tax credits, are tied to National Register designation or eligibility, so the Town may wish to explore National Register designation to maximize opportunities for property owners. To learn more, please contact Jessica French, MHT’s Administrator of Evaluation and Registration at [jessica.french@maryland.gov](mailto:jessica.french@maryland.gov). National Register designation can also be helpful in navigating flood mitigation requirements from the state and federal government, should that become necessary.

p. 86 The difference between the two objectives is unclear – can this be clarified?

p. 87 We appreciate the mentions of the Stories of the Chesapeake Heritage Area and the Town’s support of the management plan. We ask that you also add the following language:

The Stories of the Chesapeake Heritage Area Management Plan was adopted in 2005 and made a part of the comprehensive plans of Caroline, Kent, Queen Anne’s, and Talbot Counties. This update of the comprehensive plan, when



adopted by the Town, incorporates by reference all portions of the Stories of the Chesapeake Heritage Area Management Plan, except those portions solely relating to other jurisdictions within the Heritage Area, as part of the comprehensive plan.

- p. 88 MHT can help connect you with financial incentive programs for historic preservation, including our own state historic tax credits, grants, and loans. You can learn more on our website: <https://mht.maryland.gov/Financial.shtml>. Please note that MHT's web address will be changing soon, so this link may not work, but I would be happy to help direct anyone who needs assistance at that time.

Thank you again for the opportunity to comment on the plan. If you have any questions, please contact me at (410) 697-9592 or by email at [nell.ziehl@maryland.gov](mailto:nell.ziehl@maryland.gov).

Sincerely,

A handwritten signature in cursive script that reads "Nell Ziehl".

Nell Ziehl  
Chief, Office of Planning, Education and Outreach

cc: Jessica French, MHT  
Joseph Griffiths, MDP  
Rita Pritchett, MDP