

CHESAPEAKE BAY CRITICAL AREA

The Chesapeake Bay Critical Area Regulations were established to protect the shoreline and adjacent lands 1000' from edge of tide in response to studies documenting that the quality and productivity of the Bay have declined due to the cumulative effects of human activity. This area is considered a valuable, fragile and sensitive part of the Chesapeake Bay. The capacity of the shoreline and adjacent lands to withstand continuing demands from human activity can have a particularly immediate and adverse impact on water quality and natural habitats. The health and vitality of the Bay is important to the State as well as to the residents of North East.

The North East banks are of particular concern to many residents. The steep shoreline in some areas is subject to natural occurring erosion and the effects of human activity. The Town has adopted Critical Area Regulations to protect these important resources. Vegetative cover along the shoreline has proven to provide the best protection from erosion. Existing vegetation provides protection from wind and water erosion on an extremely exposed area. The trees and understory vegetation help hold and protect the soil. Although this natural protection does not guarantee long term stability due to natural occurring erosion, it does provide the most effective control in lieu of costly measures. Once the natural protection is destroyed, a bluff can begin to erode and the cost of stabilizing such an area would be substantial, if not impossible.

Trees and vegetative cover are important to our environment. They clean the air; protect the ground from the impact of rain; help cool our homes, which reduces energy needed for air conditioning; provide habitat for wildlife; and help hold and protect the soil from erosion. Trees are also aesthetically pleasing and can add much to the value of property and the beauty of the community.

The Town's Zoning Ordinance restricts the cutting of trees in the first 110 feet from the edge of tide, known as the Buffer. Certain activities such as water dependent structures (piers, etc.), access to the shoreline, and shore erosion control measures are permitted, as long as prior approval is granted by the Town and all necessary permits are received. The Buffer must be maintained in natural vegetation, but may include planted vegetation where necessary to protect, stabilize, or enhance the shoreline and wildlife value. Certain cutting may be allowed, but replacement is required; and a Buffer Management Plan may be required. No development (e.g. – swimming pools, tennis courts, structures, septic fields) or other land disturbances are permitted in this Buffer.

The most common question asked is “can I remove trees from my property if it is in the Critical Area?” Outside the Buffer cutting of trees for certain reasons may be permitted (e.g. – danger to property, dead or diseased tree, for personal use) provided you do not impair water quality or existing habitat. Trees cut must be replaced on an equal basis. Replacement trees must be at least 5-6 foot, balled and burlapped, or containerized. The Town Office must be notified of the cutting to determine whether a permit is needed and whether the cutting meets the permitted requirements for tree cutting in the Critical Area.

Communities along the Chesapeake Bay play an important role in restoring the health and vitality of this beautiful resource.