

BC 42-99  
SUB

Kingston Park/  
Cottage Grove

MSA\_S\_1829-276

Comments  
3/1

Judge John C. North, II  
Chairman



Ren Serey  
Executive Director

**STATE OF MARYLAND  
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

45 Calvert Street, 2nd Floor, Annapolis, Maryland 21401  
(410) 260-7516 Fax: (410) 974-5338

March 1, 1999

Mr. Keith Kelley  
Department of Environmental Protection  
and Resource Management  
County Courts Building  
401 Bosley Avenue  
Towson, MD 21204

**RE: Kingston Park/Cottage Grove Subdivision**

Dear Mr. Kelley:

Thank you for the opportunity to comment on the above referenced residential subdivision request. The applicant has proposed a 6 lot residential subdivision on 1.25 acres in a designated Limited Development Area. At this time, Commission staff do not oppose the subdivision as proposed.

Stormwater management measures must comply with Baltimore County's Critical Area program, even if Maryland Department of the Environment does not require any additional stormwater management measures. The grass swale proposed for stormwater management cannot be located in the 100-foot Buffer to Middle River without a variance. This office would oppose such a variance.

It is unclear from the plat submitted where existing trees are located or the amount of existing forest acreage (can be expressed in number of trees). If less than 20% of the site is covered by trees, then any trees taken down must be replaced 1:1. Staff also recommend planting of native vegetation to mitigate for the area of new disturbance.

It is my understanding that a landscape plan has been submitted to the County. Does this plan include information about afforestation? We would like to review this plan. In a Limited Development Area, 15% afforestation is required. The plan submitted states that a fee-in-lieu



has been paid. Is this fee-in-lieu intended to compensate for removal of trees? Please confirm that this fee has in fact been paid and submit information regarding whether this fee is being paid to compensate for tree removal.

All subdivisions must be reviewed by the Heritage Division of the Maryland Department of Natural Resources to determine whether there are any threatened or endangered species on the site.

As noted on the plan submitted, impervious surfaces are limited to 15% of the site.

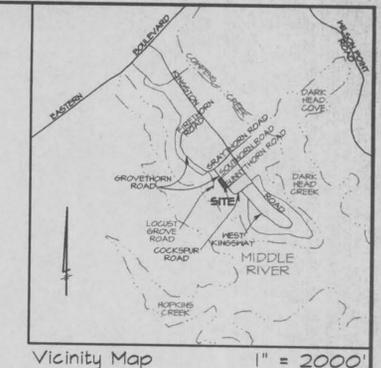
Please include this letter in your file and submit it as part of the record for subdivision. Please notify the Commission in writing of the decision made in this application. If you have any questions or concerns regarding this letter, do not hesitate to contact me at (410) 260-7173.

Sincerely,



Meredith E. Lathbury  
Natural Resources Planner

cc: BC 42-99



- GENERAL NOTES**
- THE BOUNDARY SHOWN HEREON IS FROM A PLAT ENTITLED "PART OF KINGSTON PARK AND COTTAGE GROVE", RECORDED IN PLATBOOK N.W.R. No. 28 folio 55.
  - THE TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM BALTIMORE COUNTY 200 SCALE PHOTOGRAMMETRIC MAP NO. NE 2-1 & NE 3-1.
  - THE SOIL TYPES SHOWN HEREON WERE TAKEN FROM BALTIMORE COUNTY SOIL SURVEY MAP NO. 41.
  - GENESIS TRACT 4515 A.D.C. MAP # GRID 87 J-7
  - SCHOOL DISTRICT 87 REGIONAL PLANNING DISTRICT 328
  - THERE ARE NO KNOWN WELLS, SEPTIC SYSTEMS OR UNDERGROUND FUEL STORAGE TANKS ON THE SITE OR ADJOINING PROPERTIES.
  - THE SITE IS CURRENTLY VACANT. IT IS PROPOSED TO SUBDIVIDE THE PROPERTY INTO SIX LOTS TO BE SOLD FOR THE CONSTRUCTION OF TWO STORY SINGLE FAMILY DWELLINGS.
  - THERE ARE NO STREAMS, WETLANDS OR FLOODPLAINS OF WITHIN 200' OF THE SITE EXCEPT FOR MIDDLE RIVER.
  - ALL LOTS SHOWN HEREON ARE TO BE SERVED BY PUBLIC WATER AND SEWER.
  - THERE ARE NO PRIOR ZONING CASES ON THIS SITE.
  - THE ENVELOPES SHOWN HEREON ARE FOR THE LOCATION OF ALL PRINCIPAL BUILDINGS ONLY. ACCESSORY STRUCTURES, FENCES AND PROJECTIONS INTO YARDS MAY BE CONSTRUCTED OUTSIDE THE ENVELOPE BUT MUST COMPLY WITH SECTIONS 400 AND 501 OF THE BALTIMORE COUNTY ZONING REGULATIONS (SUBJECT TO COVENANTS AND APPLICABLE BUILDING PERMITS.)
  - A PORTION OF LOCAL OPEN SPACE HAS BEEN APPLIED FOR.
  - ACCESSORY STRUCTURES, FENCES AND PROJECTIONS INTO YARDS CANNOT BE LOCATED IN FLOOD PLAIN AREAS OR HYDRIC SOILS.
  - THE PROPERTY, AS SHOWN HEREON, HAS BEEN HELD INTACT SINCE APRIL 10, 1969. THE DEVELOPER'S SURVEYOR HAS CONFIRMED THAT NO PART OF THE GROSS AREA OF THIS PROPERTY, AS SHOWN ON THE PLAN, HAS EVER BEEN UTILIZED, RECORDED OR REPRESENTED AS DENSITY OR AREA TO SUPPORT ANY OFF-SITE DWELLINGS.
  - HIGHWAY, SLOPE EASEMENTS, DRAINAGE AND UTILITIES EASEMENTS, ACCESS EASEMENTS AND STORM WATER MANAGEMENT AREAS, NO MATTER HOW ENTITLED, SHOWN HEREON, ARE RESERVED UNTO THE OWNER AND ARE HEREBY OFFERED FOR DEDICATION TO BALTIMORE COUNTY, MARYLAND.
  - PRESENT OR FUTURE OWNER OF ANY LOT SHOWN ON THIS PLAT TO USE ALL OR ANY PART OF THAT LAND DESIGNATED AS PRIVATE RIGHT OF WAY FOR THE PURPOSE OF INGRESS, EGRESS, OR THE RIGHT TO OPEN OR EXCAVATE THE AFORESAID RIGHT OF WAY FOR THE PURPOSES OF INSTALLING, CONSTRUCTING AND MAINTAINING UTILITIES SUCH AS BUT NOT LIMITED TO WATER, SEWER, ELECTRICAL, TELEPHONE OR CABLE TV.
  - THE PROPOSED DEVELOPMENT IS CONSISTENT WITH THE BALTIMORE COUNTY MASTER PLAN 1984-2000 AND THE COMMUNITY CONSERVATION PLAN FOR ESSEX & MIDDLE RIVER.
  - A STORM WATER QUANTITY DEVICE WILL NOT BE REQUIRED FOR THIS SITE. STORM WATER QUALITY WILL BE ACCOMPLISHED BY THE CONSTRUCTION OF UNDERGROUND STONE INFILTRATION PITS TO HANDLE THE FIRST INCH OF ROOF RUN-OFF FOR LOTS 12A THROUGH 12F AND A SODDED SWALE ALONG THE REAR OF THE LOTS. AN OFF-SITE EASEMENT WILL BE REQUIRED TO CONTINUE THE SWALE TO MIDDLE RIVER.
  - A SCHEMATIC LANDSCAPE PLAN WAS SUBMITTED ON SEPTEMBER 24, 1980.
  - THE RIGHT OF WAY OF GROVETHORN ROAD AS SHOWN HEREON IS FROM THE PLAT ENTITLED "RESUBDIVISION OF BLOCKS 22-23 & PART OF BLOCKS 21-24 & 28, PART OF SECTION SIX, HANTHORNE".
  - THE FLOOD ZONE LINES SHOWN HEREON WERE TAKEN FROM FEMA FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 240010-0435B, DATED MARCH 2, 1981. A CERTIFICATE OF ACKNOWLEDGEMENT WILL BE REQUIRED PRIOR TO ISSUANCE OF A BUILDING PERMIT.
  - NEW CONSTRUCTION, INCLUDING ALL ENCLOSED ACCESSORY STRUCTURES AND GARAGES, MUST COMPLY WITH SECTION 511.3.2.A OF BOCA CODE.
  - PROPOSED PERVIOUS DRIVEWAYS MUST BE APPROVED PRIOR TO USE AND OCCUPANCY.
  - GRADINGS SHALL BE DONE SO AS NOT TO PROVIDE A NUISANCE TO OFF-SITE PROPERTIES.

**DENSITY CALCULATIONS**

GROSS AREA	1.251 Ac.±
AREA IN ROAD R/W	0.248 Ac.±
NET AREA	1.003 Ac.±
GROSS AREA IN DR 10.5	0.097 Ac.±
LOTS PERMITTED IN DR 10.5	0.097 x 10.5 = 1
GROSS AREA IN DR 5.5	1.154 Ac.±
LOTS PERMITTED IN DR 5.5	5.5 x 1.154 = 6
TOTAL LOTS PERMITTED	7
TOTAL LOTS PROPOSED	6

**OWNER**  
 EARL S. WELLSCHLAGER  
 RICHARD J. DUMAIS, TRUSTEES  
 36 S. CHARLES STREET  
 BALTIMORE, MARYLAND 21201-3020  
 410-576-7626

**PDM FILE No. XV-712  
 DEVELOPMENT PLAN  
 RESUBDIVISION OF  
 PART OF LOT 12  
 "PART OF KINGSTON PARK  
 AND COTTAGE GROVE"**  
 Plat Ref: W.J.R. No.28 folio 55  
 GROVETHORN ROAD  
 Deed Ref: S.M. No. 9534 folio 600  
 Tax Account No. 18-00-014986  
 Zoned D.R. 5.5 & D.R. 10.5  
 Tax Map 90; Grid 24; Parcel 445  
 15th ELECTION DISTRICT  
 5th COUNCILMANIC DISTRICT  
 BALTIMORE COUNTY, MARYLAND

**DELINQUENT ACCOUNTS CERTIFICATION**

WE EARL S. WELLSCHLAGER & RICHARD J. DUMAIS, TRUSTEES, CERTIFY UNDER OATH THAT THERE ARE NO DELINQUENT ACCOUNTS FOR ANY OTHER DEVELOPMENT WITH RESPECT TO ANY OF THE FOLLOWING: THE APPLICANT, A PERSON WITH A FINANCIAL INTEREST IN THE PROPOSED DEVELOPMENT, OR A PERSON WHO WILL PERFORM CONTRACTUAL SERVICES ON BEHALF OF THE PROPOSED DEVELOPMENT.

THE ABOVE STATED PARAGRAPH ONLY PERTAINS TO ACCOUNTS DUE TO BALTIMORE COUNTY, MARYLAND.

DATE \_\_\_\_\_  
 DATE \_\_\_\_\_

IT IS CERTIFIED THAT THIS PLAN IS IN COMPLIANCE WITH ALL PLANS PREVIOUSLY APPROVED BY THE COUNTY AND BALTIMORE COUNTY COMMISSIONERS ATTENDANT THEREON.

Scale: 1" = 30' September 21, 1988

**GERHOLD, CROSS & ETZEL, LTD.**  
 REGISTERED PROFESSIONAL LAND SURVEYORS  
 Suite 100  
 320 East Towsontown Boulevard  
 Towson, Maryland 21286  
 (410) 823-4470

RED LINED FOR HEARING OFFICER'S HEARING	11/01/88
REVISIONS	DATE

**SOIL TYPES & LIMITATIONS**

TYPE	SEPTIC FILTER FIELDS	HOMESITES w/BASEMENT	STREETS & PARKINGS
S1B, S1B	Slight	Slight	Moderate; slope

**SYMBOLS LEGEND**

SOIL LINE	—W—W—	UNDERGROUND WATER
WOODS LINE	—S—S—	UNDERGROUND SEWER
EXISTING PAVING	—SD—SD—	STORM DRAIN
ZONING LINE	—0/H—0/H—	OVERHEAD LINE
CONTOURS	—	UNDERGROUND STONE INFILTRATION PIT

**MINIMUM REQUIRED BUILDING SETBACKS**

From front building face to: Public street right-of-way, or property line	25'
From side building face to: Side building face	16' < 20' high 20' > 20' high
From rear building face to: Rear property line Public street right-of-way	30' 30'

**F.E.M.A. FLOOD ZONE DESIGNATIONS**

ZONE "A10" - AREAS OF 100-YEAR FLOOD; BASE FLOOD FLOOD HAZARD FACTORS DETERMINED. ELEVATION 10.

ZONE "B" - AREAS BETWEEN LIMITS OF THE 100-YEAR FLOOD AND 500-YEAR FLOOD.

ZONE "C" - AREAS OF MINIMAL FLOODING.

**CHESAPEAKE BAY CRITICAL AREA REQUIREMENTS**

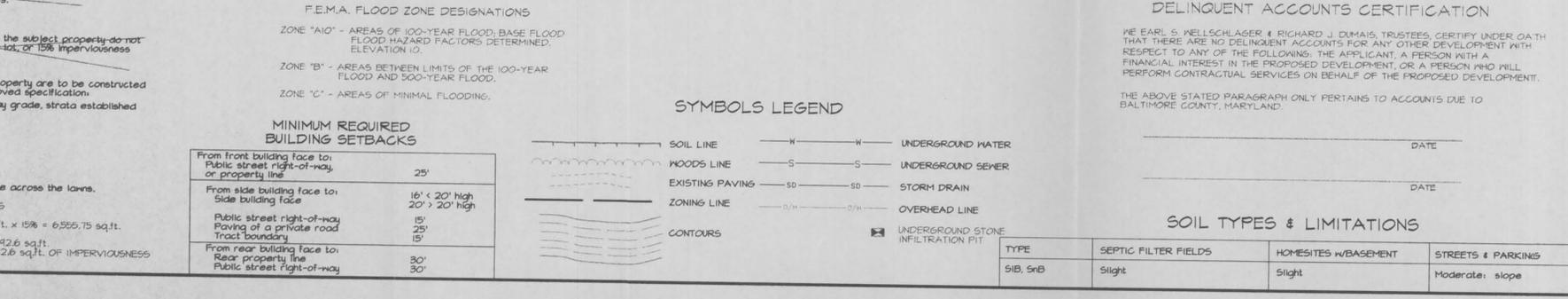
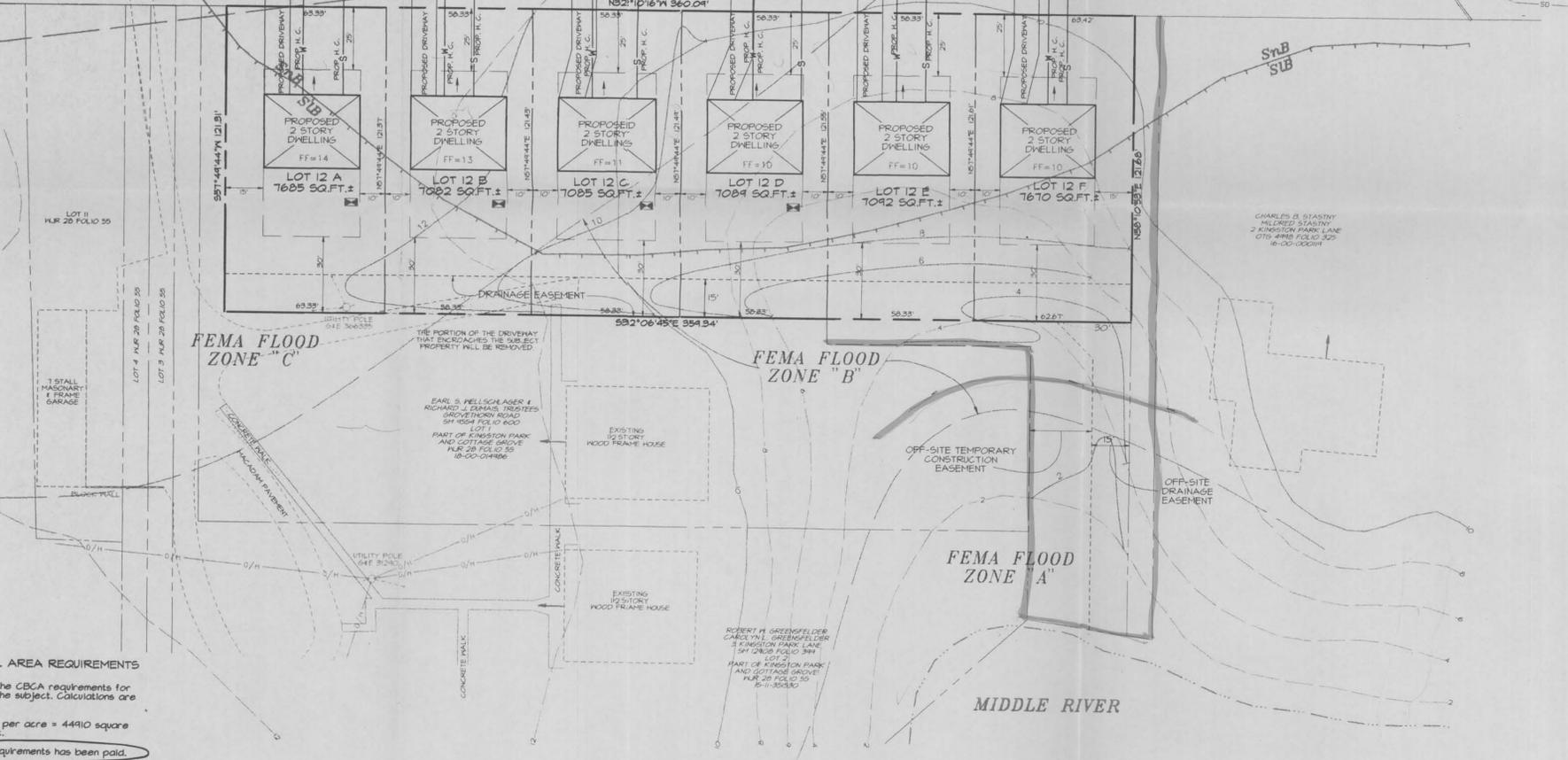
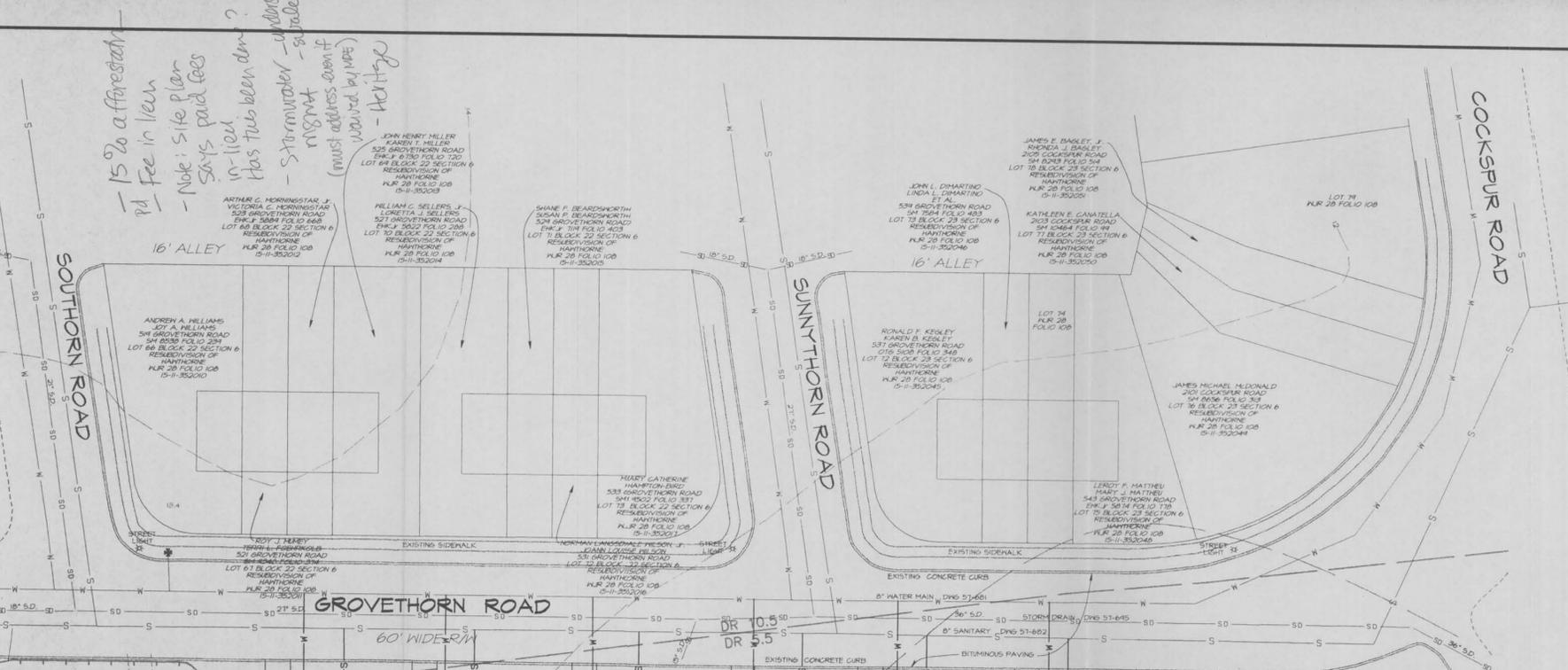
**Vegetative Coverage**  
 The trees shown hereon meet the CBCA requirements for 15% vegetative coverage for the subject. Calculations are as follows:  
 a. 1.021 AC X 43560 square feet per acre = 44410 square feet X 15% = 6736 square feet.  
 A fee-in-lieu of the planting requirements has been paid.  
 One acre less 500 square feet of coverage. Therefore, 6736/500 = 14 trees.

**b. Impervious Surfaces**  
 The proposed improvements to the subject property do not exceed 25% imperviousness-per-acre, or 15% imperviousness for the site overall.

**c. Pervious Surfaces**  
 All driveways on the subject property are to be constructed per the following DEPRM-approved specification:  
 From the bottom of the driveway grade, strata established as follows:  
 Filter/Geotextile  
 6" #2 stone  
 2" #6 stone  
 2" #7 stone (pea gravel)

**d. Discharge of Downspouts**  
 All downspouts are to discharge across the lawn.

**e. PROPOSED IMPERVIOUS AREAS**  
 NET SITE AREA = 43,705 sq.ft. x 15% = 6,555.75 sq.ft.  
 6,555.75 sq.ft. ÷ 6 LOTS = 1,092.6 sq.ft.  
 EACH LOT IS LIMITED TO 1,092.6 sq.ft. OF IMPERVIOUSNESS



15% of a forested area  
 Fee in lieu  
 Note: Site plan  
 Says paid fees  
 in lieu  
 Has this been done?  
 Stormwater - adjacent  
 right - adjacent  
 (must address adjacent  
 wooded bylaws)  
 - Heritage