

SM 443-05

Spindler, James

VAR

05-1042

MSA-S-1829-5215

7/8/05 ME
Comments

11/30/10
File originally
changed 25 0

Robert L. Ehrlich, Jr.
Governor

Michael S. Steele
Lt. Governor



Martin G. Madden
Chairman

Ren Serey
Executive Director

**STATE OF MARYLAND
CRITICAL AREA COMMISSION
CHESAPEAKE AND ATLANTIC COASTAL BAYS**

1804 West Street, Suite 100, Annapolis, Maryland 21401
(410) 260-3460 Fax: (410) 974-5338
www.dnr.state.md.us/criticalarea/

July 8, 2005

Ms. Yvonne Chaillet
Department of Planning and Zoning
23150 Leonard Hall Drive
Leonardtown, Maryland 20650

RE: James Spindler Variance
#05-1042

Dear Ms. Chaillet:

I have reviewed the variance application to clear more than 30% on Lot 8 and to impact the 100-foot and expanded Buffer for a new dwelling, driveway, and septic reserve area. 39.7% clearing is proposed. The lot is grandfathered and the expanded Buffer covers a significant portion of the site.

This office does not oppose placement of a dwelling on this lot. However, it appears that impacts to the expanded Buffer could be minimized by replacing the circular driveway with a straight driveway and by moving the dwelling up to the 25-foot building reserve line along Cherry Lane. We recommend that the applicant provide mitigation for all Buffer disturbance at a 3:1 ratio using native plantings, on site if possible.

Thank you for the opportunity to comment. Please include this letter in the file, and submit it as part of the record. Please notify the Commission in writing of the decision in this case.

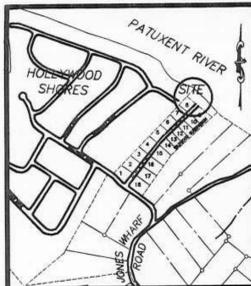
Sincerely,

A handwritten signature in cursive script that reads "Regina A. Esslinger".

Regina A. Esslinger, Chief
Project Evaluation Division

RAE/jjd

cc: SM443-05



VICINITY MAP 1" = 1000'

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GENERAL NOTES

- The property shown is on Tax Map 20, Block 5, P/O Parcel 183
- Site area: 20,951.64 sq ft ±
- The property is zoned RNC/LDA Critical Area Overlay.
- Building restriction lines shall be per St. Mary's County Zoning Ordinance.
- There shall be a 10 foot utility easement along each lot line.
- The site is served by an individual on-site sewage disposal system.
- Deep wells shall be drilled to an approved confined aquifer.
- This subdivision is in compliance with the St. Mary's County Comprehensive Water and Sewerage Plan.
- This Health Department approval certifies that the above lots are in consonance with pertinent Health Department laws and regulations as of the approval date; however, this approval is subject to change in such laws and regulations. Changes in topography and site designation may void this approval.
- The designated perc area is the only area approved by the St. Mary's County Health Department for sewerage disposal purposes. The approved area includes an area of 1,650 square feet for sewerage disposal purposes as required by current Maryland State Health Department laws. Improvements of any nature, including but not limited to the installation of other utility lines in this area may render the lot undevelopable. To determine the exact area of the lot approved for sewerage disposal purposes or to establish a different area for such purposes, you should contact the St. Mary's County Health Department, Office of Environmental Health.
- "Minimum Ownership Statement" - This lot contains an area of at least 20,000 square feet which does not include rights-of-way, 50 year flood plains or grades of 25% or greater.
- The plot shown hereon was prepared without the benefit of a title search. Other easements and/or rights-of-way may exist that are not shown hereon. This plot is subject to Title Search.
- Other than those wells and septic systems shown, there are no other apparent wells and/or septic systems within 100 feet of the proposed well and/or sewerage easement.
- The plan shown hereon does not represent a boundary survey by this firm.
- This lot will be graded so as to drain surface water away from the foundation walls. The grade away from the foundation walls will fall a minimum of 6 inches within the first 10 feet.

CRITICAL AREA NOTES

- Approximately 20,651.64 s.f. of this site lie within Maryland's Critical Area. Any and all development activities proposed within this area are subject to Critical Area regulations and will not be permitted until all appropriate Local, State and Federal agencies have conducted a thorough environmental review and have approved the development plan.
- The 100 foot Critical Area Buffer must remain in natural vegetation and may not be disturbed except as provided under Section 38.2 of the St. Mary's County Critical Area Ordinance, part 13, Habitat Protection.
- No development is permitted in wetlands without approval from the appropriate Local, State and Federal agencies.
- All existing forest shown hereon shall remain undisturbed except as permitted under the provisions of the St. Mary's County Critical Area Ordinance. Any and all afforested or reforested areas created under the provisions of the St. Mary's County Critical Area Ordinance and designated on this plat shall be preserved from future disturbance.
- Existing impervious surface within 100 foot Critical Area Buffer is 0.00 square feet.
- Area of slopes 15% or greater is 12,420 sq ft.
- Existing trees or forested area is 14,245 sq ft.
- Area of existing impervious surfaces is 0.00 square feet.
- Locations of natural heritage areas, habitats of threatened or endangered species and habitats of significant plants or wildlife are identified on this plat in accordance with Section 38.2 of the St. Mary's County Critical Area Ordinance, part 13, Habitat Protection.
- Proposed areas of vegetation clearing is 5,662 sq ft
- Proposed area of soil disturbance is 8,400 sq ft
- Proposed area of impervious surface is 3,680 sq ft
- Required areas of reforestation or afforestation is 0.00 acres.
- This boundary survey has been prepared in accordance with deeds and plats of record and the recording thereof does not assure title to any portion or portions of said property which may lie beyond the natural mean high water mark or tidal wetlands. In accordance with the state Critical Area laws, no portion or portions of said property shall be used for calculations of density rights, and furthermore, a 100 foot protective buffer as shown shall be maintained from said mean high water or adjacent tidal wetlands since the riparian rights to the same are subject to the regulatory powers of the State and Federal Governments.

OWNER/DEVELOPER CERTIFICATION

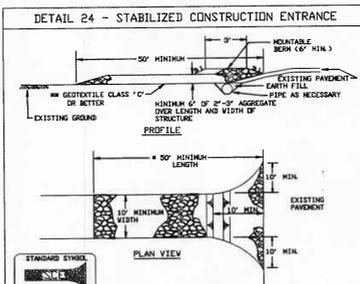
Any clearing, grading, construction or development, or all of these, will be done pursuant to this plan and that all responsible personnel involved in the construction project will have a Certificate of Training at a Maryland Department of Environment approved training program before beginning the project.

James J. Spindler
James J. Spindler 3/17/05 Date

ENGINEERS CERTIFICATION

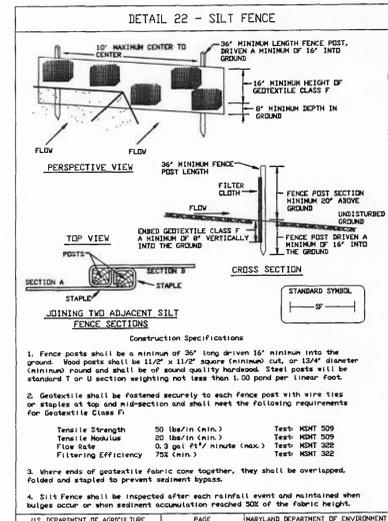
I hereby certify that the plans have been designed in accordance with approved erosion and sediment control ordinances, regulations, standards and criteria.

John B. Norris, Jr., P.E. # 8616 Date



- Length - minimum of 50' (100' for single residence lots).
- Width - 10' minimum, should be flared at the existing road to provide a turning radius.
- Geotextile fabric (filter cloth) shall be placed over the existing ground prior to placing stone. The plan approval authority may not require single family residences to use geotextile.
- Stone - crushed aggregate (to 3") or recycled or rejected concrete equivalent shall be placed at least 6" deep over the length and width of the entrance.
- Surface Water - all surface water flowing to or diverted toward construction entrance shall be piped through the entrance, maintaining positive drainage. Pipe installed through the stabilized construction entrance shall be protected with a suitable berm with 2:1 slopes and a minimum of 6" of stone over the pipe. Pipe has to be sized according to the drainage. When the 32E is located at a high spot and has no drainage to convey a pipe will not be necessary. Pipe should be sized according to the amount of runoff to be conveyed. A 6" minimum will be required.
- Location - A stabilized construction entrance shall be located at every point where construction traffic enters or leaves a construction site. Vehicles leaving the site must travel over the entire length of the stabilized construction entrance.

U.S. DEPARTMENT OF AGRICULTURE, MARYLAND DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES



U.S. DEPARTMENT OF AGRICULTURE, MARYLAND DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

HEALTH DEPARTMENT
James J. Spindler
2654 Pinewood Drive
Waldorf, Maryland 20601
(301) 705-7383

Sanitarian Date
Environmental Health Director Date

N-G&O ENGINEERING, INC.
ENGINEERING • LAND PLANNING • SURVEYING
CONSTRUCTION MANAGEMENT • ENVIRONMENTAL
MAILING ADDRESS • P.O. BOX 643 • LEONARDTOWN, MD 20650
OFFICE ADDRESS • 44731 ST. ANDREW'S CHURCH ROAD • CALIFORNIA, MD 20619
301-475-8700 • FAX: 301-475-8705 • e-mail: ngo@tqci.net



REVISIONS	BUILDING PERMIT SITE PLAN
SIXTH ELECTION DISTRICT ST. MARY'S COUNTY, MARYLAND	
DATE: MARCH 2005	PLOTTED: MARCH 2005
SCALE: 1" = 30'	JOB NO.: 24NGO2919
DRAWN BY: DUJ	SHEET NUMBER
REVIEWED BY:	1 OF 1

Construction Sequence

- 48 hours prior to construction, contact INSPECTION AGENCY, Regional Chief, Enforcement Division, Department of the Environment, 1800 Washington Boulevard, Baltimore, MD 21230, (410) 414-3400.
- Clearing and grubbing for those areas necessary for installation of perimeter sediment control devices. (2 days)
- Install sediment control devices. (2 day)
- Request approval from the INSPECTION AGENCY upon completion of the installation of all perimeter erosion and sediment control before proceeding with other earth disturbance and grading. Other construction or grading inspection approvals may not be authorized until the initial approval by the INSPECTION AGENCY.
- Construct house and driveway. (120 days)
- Permanently stabilize remaining disturbed areas. (2 days)
- Request approval from the INSPECTION AGENCY upon completion of final stabilization activities.
- Remove sediment control devices, upon approval of the INSPECTION AGENCY. (1 DAY)

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BEING LOT 8,
WILDWOOD 05-1042

TEMPORARY SEEDING RATES, DEPTHS AND DATES

SPECIES	MINIMUM SEEDING RATES		PLANTING DEPTH ³⁶ INCHES	HARDNESS ZONES ³⁷ 7a AND 7b AND SEEDING DATES ³⁸		
	PER ACRE	LBS/A000 SQ.FT.		4/30	5/1 - 8/1	8/15 - 11/30
CHOOSE ONE: BARLEY OATS RYE ³⁹	2.5 BU. (122 lbs) 3 BU. (96 lbs) 2.5 BU. (140 lbs)	2.80 2.21 3.22	1 - 2 1 - 2 1 - 2	X X X	- - -	BY 10/15 - X
BARLEY OR RYE PLUS FOXTAIL MILLET ⁴⁰	150 lbs	3.45	1	X X	X X	10/15 X
WEEDING LOVEGRASS ⁴¹	4 lbs	0.09	1/4 - 1/2	-	X	-
ANNUAL RYEGRASS	50 lbs	1.15	1/4 - 1/2	X	-	11/1
MILLET ⁴²	50 lbs	1.15	1/2	-	X	-

³⁶ Applicable on slopes of 3:1 or flatter.
³⁷ Refer to Figure A - Adopted from USDA, ARS Miscellaneous Publication #475, January 1990
³⁸ Between fall and spring seeding dates, use much only if ground is frozen and reseed when thawed
³⁹ May be used as a nurse crop for late fall/early winter permanent seedings, add 56 lbs/acre to the permanent seeding mixture
⁴⁰ Maryland State Highway Administration Temporary Seed Mix
⁴¹ May be used as a nurse crop for mid-summer permanent seedings. Add 2 lbs/acre to permanent seed mix
⁴² May be used as a nurse crop for mid-summer permanent seedings. Add 10 lbs/acre to the permanent seeding mix