

MSA. S. 1829-5660

Martin O'Malley
Governor

Anthony G. Brown
Lt. Governor



Margaret G. McHale
Chair

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/

March 31, 2009

Dr. David Brownlee
Calvert County Department of Planning and Zoning
150 Main Street
Prince Fredrick, Maryland 20678

Re: SPR 06-31 Solomon's Town Park- Consistency Report
(Tax Map 44, parcel 679)

Dear Dr. Brownlee:

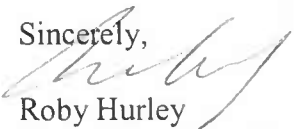
Thank you for providing information on the above referenced site plan. The Calvert County Department of Public Works is proposing to construct multiple athletic fields and paved parking areas to accommodate approximately 300 cars. Approximately 16.8 acres of the property are located within the Critical Area and are designated as a Limited Development Area (LDA). The Critical Area portion of the property appears undeveloped.

Based on the information provided we have the following comments:

1. Sheet 2 of 10 includes a discrepancy in the number of parking spaces to be included on site. The Area Tabulation chart states "Total Parking Recommended = 340, Total Parking Recommended = 295". Please provide this office with clarification as to the exact number of parking spaces to be provided on site, within the Critical Area.
2. While the County's response adequately addresses our previous concerns, please complete the enclosed consistency report standard form for the Commission's files. Please note that the form includes a signature line for the appropriate contact within the County.

Thank you for the opportunity to provide comment. If you have any questions or concerns, please contact me at (410) 260-3468.

Sincerely,


Roby Hurley
Natural resources Planner
CA 489-06

*Comments
Attached
rec'd 4/16/09*





**CALVERT COUNTY
DEPARTMENT OF PLANNING & ZONING**

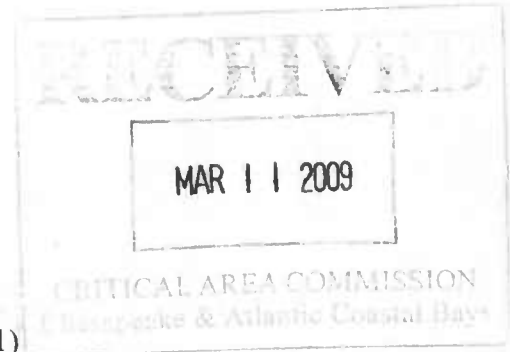
150 Main Street
Prince Frederick, Maryland 20678
Phone: (410) 535-2348 • (301) 855-1243
Fax: (410) 414-3092

Director
Gregory A. Bowen

Board of Commissioners
**Gerald W. Clark
Linda L. Kelley
Wilson H. Parran
Susan Shaw
Barbara A. Stinnett**

March 11, 2009

Mr. Ren Serey
Chesapeake Bay Critical Area Commission
1804 West Street, Suite 100
Annapolis, MD 21401



Re: Letter of Consistency, Solomons Town Center Park (SPR-06-31)

Dear Mr. Serey:

The Solomons Town Center Park is partially located in Chesapeake Bay Critical Area. The revised site plan (attached, sheets 1-10) is consistent with the Calvert County Critical Area Program and Critical Area Zoning Ordinance requirements. All development is outside of the Critical Area tidal and nontidal wetland buffers and tributary stream buffers including extended buffer areas. The impervious surface is less than 15% and no slopes over 15% are impacted. Clearing is limited to 2,377 sq. ft. outside of the Critical Area Buffer and 4,700 sq. ft. of tree and shrub planting is proposed as mitigation in the 100 ft. tributary stream buffer (Sheet 8 on the attached).

Below I will respond to the specific comments proposed by Mr. Hurley (H-1 through 4) and Ms. Gallo (G-1 through 5) in their memoranda of January 22, 2009 and April 17, 2007, respectively.

Item #	Response
R-1	This letter
R-2	Revised plan shows all activity out of the Critical Area Buffers and all HPAs. The 10 ft setback only applies to structures, grading is allowed in the 10 ft setback.
R-3	This plan establishes the Forest Preservation Areas (non existed before)
R-4	This letter with attached revised plat.
G-1	This letter
G-2	Revised plan shows all activity out of the Critical Area Buffers and all HPAs.
G-3	Revised sheet 8 includes a more detailed table of impervious surface, which separates the impervious surface into buildings (shed and restrooms separately), sidewalks (proposed and future), athletic courts and asphalt paving for the access road and

Mailing Address: 175 Main Street, Prince Frederick, Maryland 20678

Maryland Relay for Impaired Hearing or Speech 1-800-735-2258

	parking. The soils under the road and parking are hydric soils. The use of pervious pavers or concrete will not work on these soils due to poor infiltration.
G-4	In the Critical Area notes on sheet 8, total forest area in the Critical Area is given as 9.2 acres which covers 54% of the Critical Area portion of the project. The forest area removed is on the edge of FID habitat (FID buffer, not interior) thus minimizing impacts on FID habitat. Mitigation proposed is two times that cleared and is being planted in the Critical Area Buffer where it will expand FID habitat in this riparian area. Forest Preservation signs will be placed around the Forest Preservation Area including the reforestation site.
G-5	The proposed clearing and mitigation are shown on revised sheet 8. The mitigation required is proposed to be planted in the Critical Area Buffer.

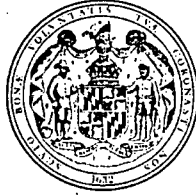
Based on a thorough review of the project, I find the Solomons Town Center Park project consistent with the Calvert County Critical Area Program.

Sincerely:



David C. Brownlee, PhD, AICP
Principal Environmental Planner

- c. Greg Bowen, Director, Department of Planning and Zoning
Paul D. Meadows, Director, Division of Parks and Recreation
Lynn Thomas, Capitol Projects Coordinator, Department of Public Works



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(410) 260-3460. Fax: (410) 974-5338
www.dnr.state.md.us/criticalarca/

April 17, 2007

Ms. Bobbie Hutchinson
Calvert County Department of Planning and Zoning
150 Main Street
Prince Frederick, Maryland 20678

Re: SPR 06-31 Solomons Town Park-Revised
(Tax Map 44, Parcel 679)

Dear Ms. Hutchison:

Thank you for providing information on the above referenced revised site plan. The Calvert County Department of Public Works is proposing to construct multiple athletic fields and paved parking areas to accommodate 340 cars. Approximately 16.8 acres of the property are located within the Critical Area and are designated as a Limited Development Area (LDA). The Critical Area portion of the property appears undeveloped.

Based on the information provided, we have the following comments:

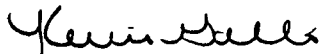
1. As previously stated, the proposed project qualifies as a County government action on property owned by the County, and therefore falls under the requirements of COMAR 27.02.01. The project will at a minimum, require submission of a consistency report from the County Planning and Zoning office. While we recognize that the project is in the preliminary stages of review, please note that this information will be needed prior to final site plan approval.
2. Sheet 2 of 10 indicates that a portion of a proposed athletic field is located within the 100-foot stream Buffer. The limits of this field must be removed from the Buffer.
3. While general information regarding proposed impervious surface areas within the Critical Area has been noted on Sheet 2 of 10, please have the applicants add a table detailing the breakdown of proposed impervious surfaces. For example, details should be separated into those surfaces proposed for parking areas versus structures, versus athletic courts, etc. We continue to stress that the use of semi-pervious paving materials should be explored for parking areas provided that the underlying soil conditions are favorable and that County resources are available to provide regular maintenance.

Bobbie Hutchinson
SPR 06-31 Solomons Town Park
April 17, 2007
Page 2

4. The forest cover information stated on Sheet 8 of 10 is confusing. Specifically, please have the applicant state and demonstrate that a minimum of 15% forest cover exists within the Critical Area as required within the County's zoning ordinance. Based on the stated acreage of 16.8 acres, the applicant will be required to provide a minimum of 2.52 acres of forested cover onsite within the Critical Area. In addition please note that the existing forested areas are considered habitat for Forest Interior Dwelling Bird species (FIDs). As such, any proposed clearing within FIDs habitat would require submission of a Habitat Protection Plan (HPP) and appropriate mitigation.
5. Please advise the applicant that where not already established in forested cover, the 100-foot Buffer will require afforestation. It appears that this measure may be necessary within portions of the stream Buffer. Please have the applicant provide details and a site plan note regarding fulfillment of this requirement.

Thank you for the opportunity to provide comments for this revised site plan submittal. Please submit a revised site plan which addresses the issues outlined above. If you have any questions, please contact me at (410) 260-3482.

Sincerely,



Kerrie L. Gallo
Natural Resource Planner
CA489-06



Robert L. Ehrlich, Jr.
Governor

Michael S. Steele
Lt. Governor

Martin G. Madden
Chairman

Ren Serey
Executive Director

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September 27, 2006

Ms. Olivia Vidotto
Calvert County Department of Planning and Zoning
150 Main Street
Prince Frederick, Maryland 20678

Re: SPR 06-31 Solomons Town Park
(Tax Map 44, Parcel 679)

Dear Ms. Vidotto:

Thank you for providing information on the above referenced minor subdivision. The Calvert County Department of Parks and Recreation is seeking approval of a subdivision to create one 21.104-acre lot. Approximately 16.8 acres of the property are located within the Critical Area and are designated as a Limited Development Area (LDA). The Critical Area portion of the property appears undeveloped.

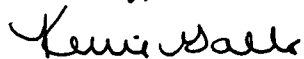
Based on the information provided, it is my understanding that the purpose of the proposed subdivision is to designate Parcel 679 as a buildable lot. This upgrade is necessary in order for the County to pursue its plans to construct ball fields, parking, and a bathroom facility at the site. This office provided comments specific to the site plan component of the project to the County in the attached letter dated August 21, 2006. Provided that the comments within that letter are addressed, we do not have any additional concerns regarding the subdivision plan as submitted. For your convenience, I am also attaching a copy of the letter from the Department of Natural Resources' Wildlife and Heritage Division which indicates that the property contains Forest Interior Dwelling Bird (FIDs) habitat. While it does not appear that any clearing is proposed within the Critical Area portion of the site, submission of a Habitat Protection Plan will be necessary should any clearing within the Critical Area be deemed necessary.

Please note that this project qualifies under COMAR 27.02.02.02 as a local agency action resulting in development of local significance on private lands. Therefore, the County will be required to submit a consistency report to this office prior to local site plan approval.

Olivia Vidotto
Solomons Town Park
August 27, 2006
Page 2

Thank you for the opportunity to provide comments for this subdivision proposal. If you have any questions, please contact me at (410) 260-3482.

Sincerely,



Kerrie L. Gallo
Natural Resource Planner
CA489-06

Cc: John Swartz, Calvert County
Bobbi Hutchinson, Calvert County



Robert L. Ehrlich, Jr.
Governor

Michael S. Steele
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(410) 260-3460 Fax: (410) 974-5338
www.dnr.state.md.us/criticalarea/

August 21, 2006

Ms. Bobbie Hutchinson
Calvert County Department of Planning and Zoning
150 Main Street
Prince Frederick, Maryland 20678

Re: SPR 06-31 Solomons Town Park
(Tax Map 44, Parcel 679)

Dear Ms. Hutchison:

Thank you for providing information on the above referenced site plan. The Calvert County Department of Public Works is proposing to construct multiple athletic fields and paved parking areas to accommodate 340 cars. Approximately 16.8 acres of the property are located within the Critical Area and are designated as a Limited Development Area (LDA). The Critical Area portion of the property appears undeveloped.

Based on the information provided, we have the following comments:

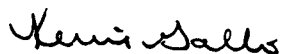
1. As a County government action on property owned by the County, the project falls under the requirements of COMAR 27.02.01 and will require submission of a consistency report from the County Planning and Zoning office. While we recognize that the project is in the preliminary stages of review, please note that this information will be needed prior to final site plan approval.
2. Sheet 8 of 10 shows a water feature labeled as an intermittent stream. Please clarify where this information was taken from. In addition, if an intermittent stream is present on the property, a 100-foot Buffer will need to be shown.
3. Sheet 4 of 10 shows a stormwater management pond proposed partially within the 100-foot Buffer. Stormwater management ponds cannot be located within the Buffer and must be relocated. It appears that ample room exists to locate the pond outside of the Buffer.
4. Currently, the site plan proposes 14.9% impervious surface area coverage within the Critical Area portion of the site. Given the proposed use of the site and that a 15% impervious surface area limit exists for the entire Critical Area portion of the property, the County should consider the use of partially pervious paving materials such as grass pavers for the overflow parking areas. Provided

Bobbie Hutchinson
SPR 06-31 Solomons Town Park
August 21, 2006
Page 2

that underlying soil conditions are favorable and that County resources are available to provide regular maintenance, the use of these materials may provide greater flexibility for future expansion and enhanced environmental and water quality benefits.

Thank you for the opportunity to provide comments for this site plan submittal. Please submit a revised site plan which addresses the issues outlined above. If you have any questions, please contact me at (410) 260-3482.

Sincerely,



Kerrie L. Gallo
Natural Resource Planner
CA489-06

NOTES

- This subdivision is subject to the requirements of the Calvert County Stormwater Management Ordinance.
- Conservation Areas: These land areas include, but are not limited to, improperly drained soils, adverse soil formations, steep slopes (15% or greater) and erodible soils. A minimum 10' setback must be provided adjacent to the conservation area. These land areas shall not be developed unless the developer receives the approval of the Planning Commission with the recommendations from the appropriate County agencies.
- A minimum buffer zone of 50 feet of undisturbed natural vegetation shall be maintained from the boundaries of the non-tidal wetlands landward. In the case of tidal wetlands and tributary streams, the buffer shall be expanded to a minimum of 100 feet. The buffer shall remain undisturbed in perpetuity and to serve for water quality benefits. Lot 1 shall comply with the Maryland and Calvert County Critical Area regulations for the LDA zone and no clearing or grading shall occur within the designated Critical Area buffers.
- 100 Year Flood Plain: Uses restricted to those permitted in the Flood Plain District. No residential construction permitted within the 100 year flood plain.
- If archaeological materials are discovered during site work, the contractor for development will cease work and contact the Department of Planning and Zoning immediately so that remains/findings may be evaluated and the information recorded in the interest of documenting the heritage of Calvert County prior to restoring work.
- Lot 1 is subject to site plan approval by the Planning Commission or its designee prior to issuance of building/grading permits. If this plot is recorded prior to site plan approval, revisions to the recorded plot may be necessary prior to signature approval of the site plan.
- Site development of Lot 1, including but not necessarily limited to buildings, walls, fencing, lighting and signage are also subject to review and approval by the Solomons Architectural Review Committee (SARC). SARC approval must be obtained prior to final (signature) approval of SPR 06-31.
- This plat was prepared without benefit of a title report.
- 16.8 acres of Lot 1 lie within the Critical Area (LDA). 9.2 acres (55%) of the Critical Area portion of the lot is forested. Clearing in the Critical Area may not exceed 30% and the lot must be 15% forested (within the Critical Area) when site development is complete. 0.05 acres of forest within the Critical Area is proposed to be cleared. 0.10 acres of reforestation is proposed within the Critical Area as shown hereon. There are 2.2 acres of forested area on the portion of the lot lying outside of the Critical Area.
- Forest Retention Areas are to be left undisturbed unless appropriate approvals or permits have been obtained for removal of trees and/or understory vegetation. Timber harvests may occur within Forest Retention Areas with these required approvals or permits. Otherwise, no equipment, machinery, vehicles, materials, stacking or structures are allowed within Forest Retention Areas. The total Forest Retention Area required for this subdivision is 0.96 acres. The total Forest Retention Area provided hereon is 0.24 acres. The reforestation requirement of 1.44 acres can not be met on-site and shall be addressed through fees-in-lieu or off-site mitigation.
- Forest protection measures are to be in place and inspected by the Environmental Planner on each lot prior to issuance of any building or grading permits on the lot. Staking, flagging and posting signs shall mark the boundary of the FRA. All protective measures shall be maintained throughout the project.
- Site development is limited to 15% impervious area within the Critical Area portion of the lot.

LEGEND

- CONSERVATION AREA
- 100 YEAR FLOOD PLAIN
- FOREST RETENTION AREA LINE
- FOREST PROTECTION AREA LINE
- LIMIT OF CRITICAL AREA NON-DISTURBANCE VEGETATED BUFFER
- NON-TIDAL WETLANDS
- BUILDING RESTRICTION LINE
- AFFORESTATION AREA (0.10 AC±)
- IRON ROD SET UNLESS OTHERWISE NOTED

IMPERVIOUS SURFACE AREA TABLE	
LDT	ALLOWED IMPERVIOUS SURFACE AREA
LDT 1	109,674 SF (IN CRITICAL AREA)

ALLOWED CLEARING TABLE	
LDT	ALLOWED CLEARING
LDT 1	2,377 SF (IN CRITICAL AREA)

LOT AND AREA TABULATION	
TOTAL NO. OF NEW LOTS	1
TOTAL NO. OF CONVENTIONAL LOTS	1
TOTAL AREA OF NEW LOTS	21.205 AC±
TOTAL AREA SHOWN ON THIS PLAT	21.205 AC±
TOTAL AREA WITHIN CRITICAL AREA	16.785 AC±
TOTAL AREA OUTSIDE OF CRITICAL AREA	4.420 AC±

SIGHT DISTANCE CERTIFICATION

I HEREBY CERTIFY THAT A LOCATION EXISTS ALONG THE FRONTAGE OF LDT 1 SHOWN HEREON THAT MEETS OR EXCEEDS THE SIGHT DISTANCE REQUIREMENTS OF THE CALVERT COUNTY ROAD ORDINANCE.

DATE _____ REGISTERED SURVEYOR _____

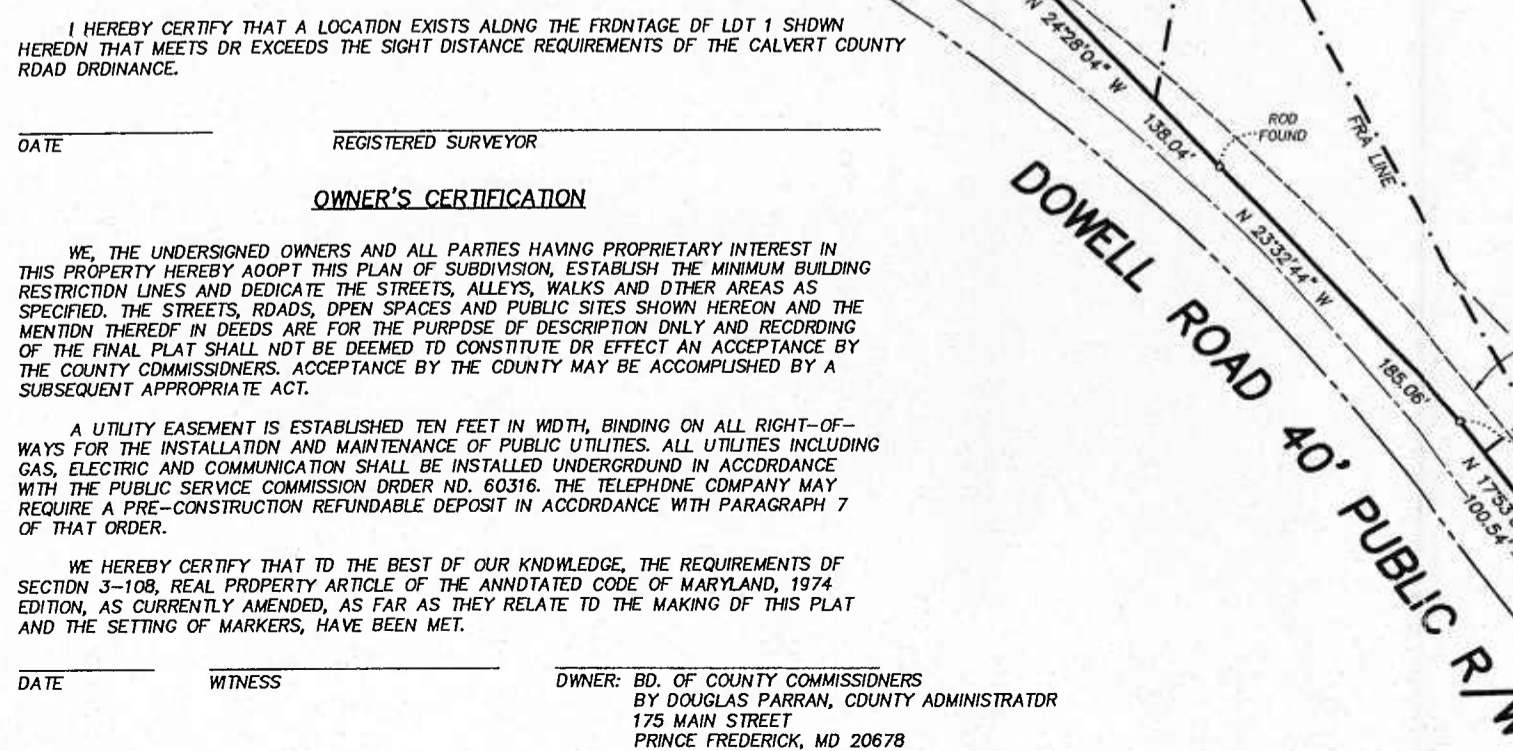
OWNER'S CERTIFICATION

WE, THE UNDERSIGNED OWNERS AND ALL PARTIES HAVING PROPRIETARY INTEREST IN THIS PROPERTY HEREBY ADOPT THIS PLAN OF SUBDIVISION, ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES AND DEDICATE THE STREETS, ALLEYS, WALKS AND OTHER AREAS AS SPECIFIED. THE STREETS, ROADS, OPEN SPACES AND PUBLIC SITES SHOWN HEREON AND THE MENTION THEREOF IN DEEDS ARE FOR THE PURPOSE OF DESCRIPTION ONLY AND RECORDING OF THE FINAL PLAT SHALL NOT BE DEEMED TO CONSTITUTE OR EFFECT AN ACCEPTANCE BY THE COUNTY COMMISSIONERS. ACCEPTANCE BY THE COUNTY MAY BE ACCOMPLISHED BY A SUBSEQUENT APPROPRIATE ACT.

A UTILITY EASEMENT IS ESTABLISHED TEN FEET IN WIDTH, BINDING ON ALL RIGHT-OF-WAYS FOR THE INSTALLATION AND MAINTENANCE OF PUBLIC UTILITIES. ALL UTILITIES INCLUDING GAS, ELECTRIC AND COMMUNICATION SHALL BE INSTALLED UNDERGROUND IN ACCORDANCE WITH THE PUBLIC SERVICE COMMISSION ORDER NO. 60316. THE TELEPHONE COMPANY MAY REQUIRE A PRE-CONSTRUCTION REFUNDABLE DEPOSIT IN ACCORDANCE WITH PARAGRAPH 7 OF THAT ORDER.

WE HEREBY CERTIFY THAT TO THE BEST OF OUR KNOWLEDGE, THE REQUIREMENTS OF SECTION 3-108, REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, 1974 EDITION, AS CURRENTLY AMENDED, AS FAR AS THEY RELATE TO THE MAKING OF THIS PLAT AND THE SETTING OF MARKERS, HAVE BEEN MET.

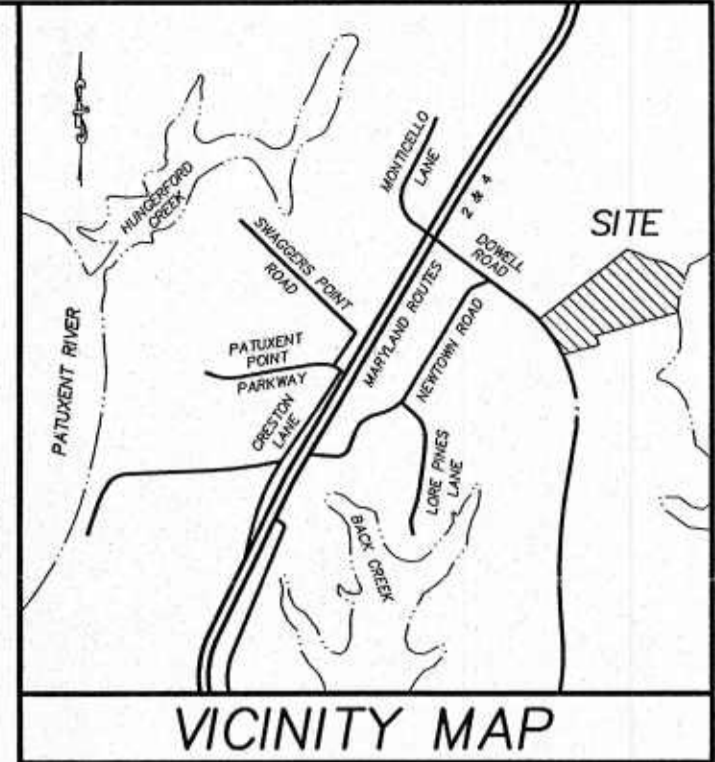
DATE _____ WITNESS _____ OWNER: BD. OF COUNTY COMMISSIONERS
BY DOUGLAS PARRAH, COUNTY ADMINISTRATOR
175 MAIN STREET
PRINCE FREDERICK, MD 20678



LOT 1
21.205 AC±

COORDINATES		
NO.	NORTH	EAST
307	248445.57	1468724.87
313	248659.57	1469209.74
314	248751.05	1469161.37
323	249120.16	1470005.70

COURSES AND DISTANCES		
COURSE	BEARING	DISTANCE
L1	S 39°48'53\"/>	



TAX MAP 44 PARCEL 679
SCALE: 1" = 2000'
TAX ID NO. 01 241672

HEALTH DEPARTMENT	
DATE	_____
HEALTH OFFICER	_____
DIRECTOR OF ENVIRONMENTAL HEALTH	_____
SANITARIAN	_____

HEALTH OFFICER'S CERTIFICATION

THIS SUBDIVISION SATISFIES THE REQUIREMENTS OF THE MARYLAND DEPARTMENT OF THE ENVIRONMENT REGULATION 26.04.03 ALLOWING FOR COMMUNITY WATER SYSTEMS AND COMMUNITY SEWERAGE SYSTEMS IN THE SUBDIVISION OF LAND SERVING COMMERCIAL USES ONLY, AND IT IS IN CONFORMANCE WITH THE CURRENT COUNTY WATER AND SEWERAGE PLAN FOR WATER PLANNING CATEGORY W1 AND SEWERAGE PLANNING CATEGORY S1.

THIS HEALTH DEPARTMENT APPROVAL CERTIFIES THAT THE LOTS SHOWN HEREON ARE IN CONSONANCE WITH PERTINENT HEALTH DEPARTMENT LAWS AND REGULATIONS AS OF THE APPROVAL DATE, HOWEVER, THIS APPROVAL IS SUBJECT TO CHANGES IN SUCH LAWS AND REGULATIONS. CHANGES IN TOPOGRAPHY OR SITE DESIGNATIONS MAY VOID THIS APPROVAL.

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THE PLAN SHOWN HEREON IS CORRECT; THAT IT IS THE SUBDIVISION OF THE LAND CONVEYED BY THE KOENIG PRIVATE FOUNDATION, INC. TO THE BOARD OF COUNTY COMMISSIONERS OF CALVERT COUNTY, MARYLAND BY DEED DATED FEBRUARY 10, 2004 AND RECORDED AMONG THE LAND RECORDS OF CALVERT COUNTY, MARYLAND IN LIBER K.P.S. 2111 AT FOLIO 009.

PERMANENT MONUMENTS AND METAL PIPES HAVE BEEN SET AS REQUIRED BY ARTICLE VIII, CALVERT COUNTY SUBDIVISION REGULATIONS AND ARTICLE 21, 3-108, ANNOTATED CODE OF MARYLAND.

DATE _____ REGISTERED SURVEYOR _____
APPROVED FOR RECORDING FOR THE PLANNING COMMISSION
DATE _____ DAVID K. HUMPHREYS, SECRETARY

RECEIVED
SEP 20 2007
CRITICAL AREA COMMISSION

**FINAL PLAT
LOT 1
SOLOMONS RECREATION CENTER**
LOCATED IN DOWELL
FIRST DISTRICT, CALVERT COUNTY, MARYLAND
PLANNING AND ZONING CASE NO. MSD 04-04-44

COLLINSON, OLIFF & ASSOCIATES, INC.
Surveyors • Engineers
Land Planners
110 MAIN STREET
PRINCE FREDERICK, MARYLAND 20678
410-535-3101 • 301-855-1599 • FAX 410-535-3103

DATE	REVISION
SEPT. 2007	SCALE 1" = 100'
JOB NO. 1-8014	DRAWN BY SH
FLDR REF. TM44 P11	APPROVED JSO
DATE	REVISION

DATE _____