Martin O'Malley
Governor

Anthony G. Brown



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/

August 22, 2008

Mr. Tom Burke Anne Arundel County Office of Planning and Zoning 2664 Riva Road, MS 6301 Annapolis, Maryland 21401

Re: Mason's Beach on the Bay, Lots 7-8

S 06-062, P 08-0003

Dear Mr. Tom Burke:

Thank you for forwarding revised materials for the above mentioned subdivision request. The applicant proposes to unmerge two merged lots by way of subdivision, remove the existing dwelling that is located over the property line between the two lots, remove the existing garage, shed and driveway, and to construct two new houses and driveways on each of the unmerged lots. The 0.55 acre property is within the Critical Area and is designated as an Intensely Developed Area (IDA). The applicant has addressed this office's comments from my June 9, 2008 letter and I have no further comments on the proposed subdivision at this time.

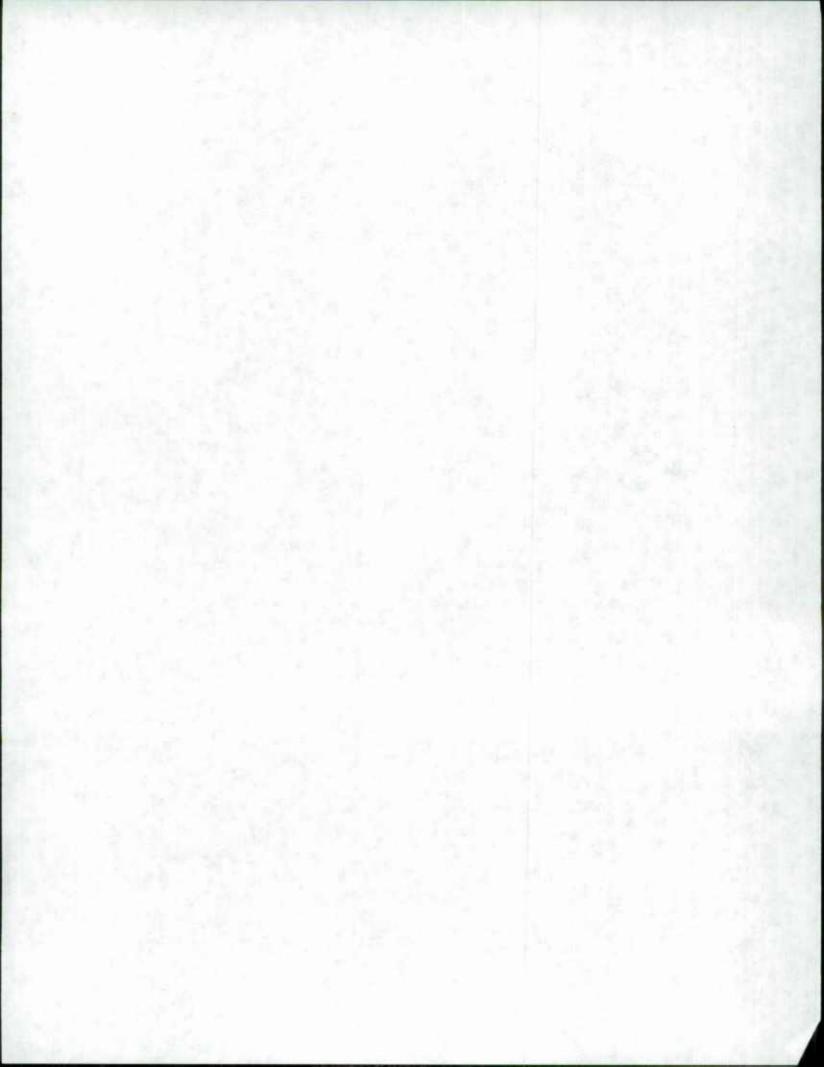
Thank you for the opportunity to comment. Please telephone me if you have any questions at (410) 260-3481.

Sincerely.

Amber Widmayer

Natural Resources Planner

cc: AA 27-08



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

June 9, 2008

Mr. Tom Burke Anne Arundel County Office of Planning and Zoning 2664 Riva Road, MS 6301 Annapolis, Maryland 21401

Re: Mason's Beach on the Bay, Lots 7-8

S 06-062, P 08-0003

Dear Mr. Tom Burke:

Thank you for forwarding revised materials for the above mentioned subdivision request. The applicant proposes to unmerge two merged lots, remove the existing dwelling that is located over the property line between the two lots, remove the existing garage, shed and driveway, and to construct two new houses and driveways on each of the unmerged lots. The 0.55 acre property is within the Critical Area and is designated as an Intensely Developed Area (IDA). The applicant has addressed most of this office's comments from my February 14, 2008 letter. I have outlined my remaining comments below:

1) It is this office's understanding that the unmerger of these lots is allowed by the County even though the applicant can not meet 18-4-203(d)(3) which requires a showing that, "all or part of any lots in the Critical Area were part of a subdivision approved on or after August 22, 1988," because the proposed lots are such that they meet County's Critical Area and zoning requirements for creation of a new lot in the IDA in compliance with current law. Please obtain documentation from the County that this interpretation is consistent with the County's interpretation of its unmerger provisions as applied to this subdivision application.

Thank you for the opportunity to comment. Please telephone me if you have any questions at (410) 260-3481.

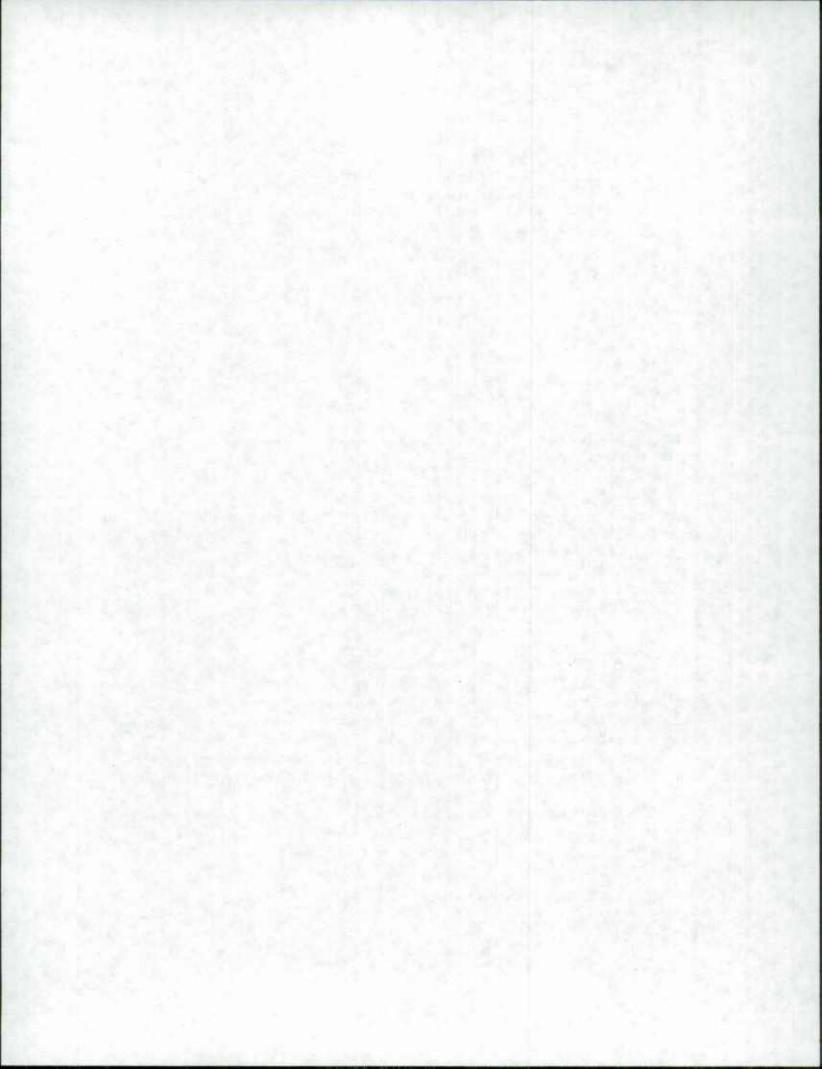
Sincerely

Amber Widmayer

Natural Resources Planner

cc:

AA 27-08



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

February 14, 2008

Ms. Kelly Krinetz Anne Arundel County Office of Planning and Zoning 2664 Riva Road, MS 6301 Annapolis, Maryland 21401

Re: Mason's Beach on the Bay, Lots 7-8

S 06-062, P 08-0003

Dear Ms. Krinetz:

Thank you for forwarding the above mentioned subdivision request. The applicants propose to unmerge two merged lots, remove the existing dwelling that is located over the property line between the two lots, remove the existing garage, shed and driveway, and to construct two new houses and driveways on each of the unmerged lots. The 0.55 acre property is within the Critical Area and is designated as an Intensely Developed Area (IDA). I have outlined my comments below:

- 1) It is unclear from the submitted materials whether the property can properly be unmerged under Anne Arundel County's Code. Please have the applicant submit information regarding the chain of title for both lots and any correspondence between the lot owners and the County that may provide useful information on this issue.
- 2) Because the property is designated as an IDA, the applicant must submit 10% pollutant reduction calculations and a description of how the pollutant removal requirement will be met. The 10% calculation worksheets and further information about this requirement can be found on the Commission's website at the following web address: http://www.dnr.state.md.us/criticalarea/guidancepubs/10percent_rule.html.

Thank you for the opportunity to comment. Please telephone me if you have any questions at (410) 260-3481.

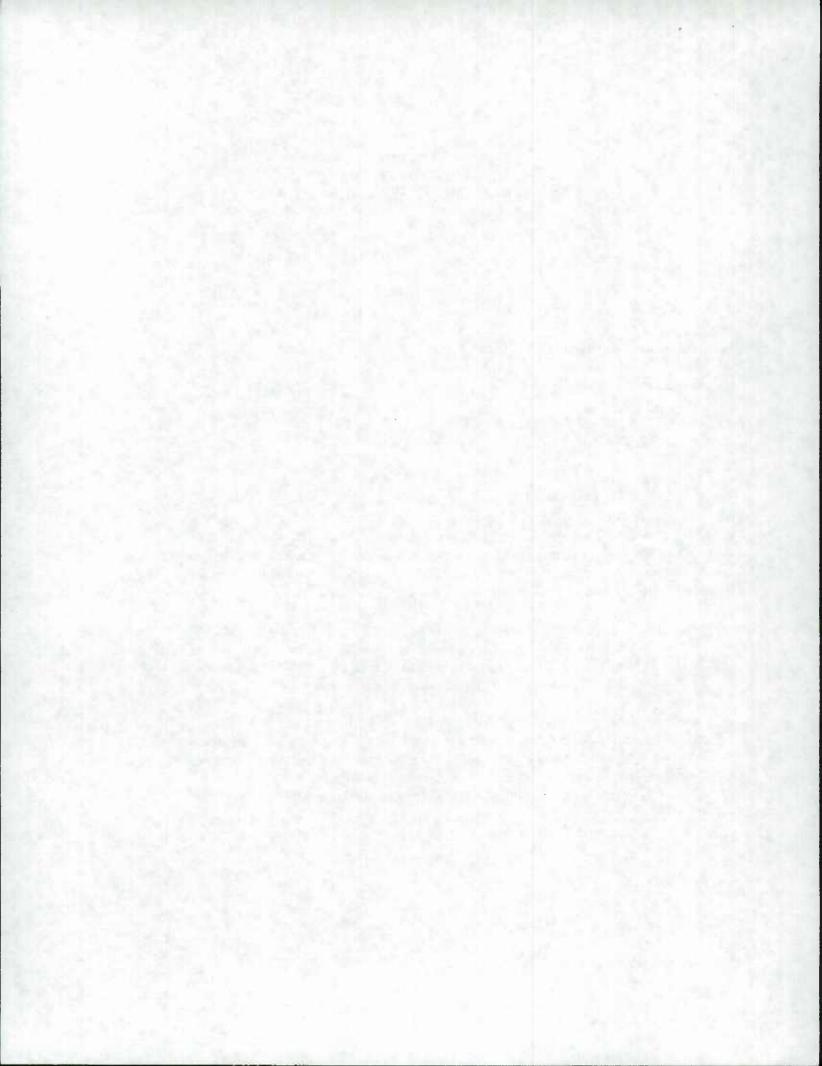
Sincerely,

Amber Widmayer

Natural Resources Planner

cc:

AA 27-08



Bob lee

From: Thomas Burke [PZBURK04@aacounty.org]

Sent: Thursday, June 26, 2008 1:30 PM

To: bob lee

Subject: Fwd: Mason's Beach on the Bay

One Better Bob. Here's the letter.

>>> Thomas Burke 6/18/2008 4:34 PM >>> Hi Amber:

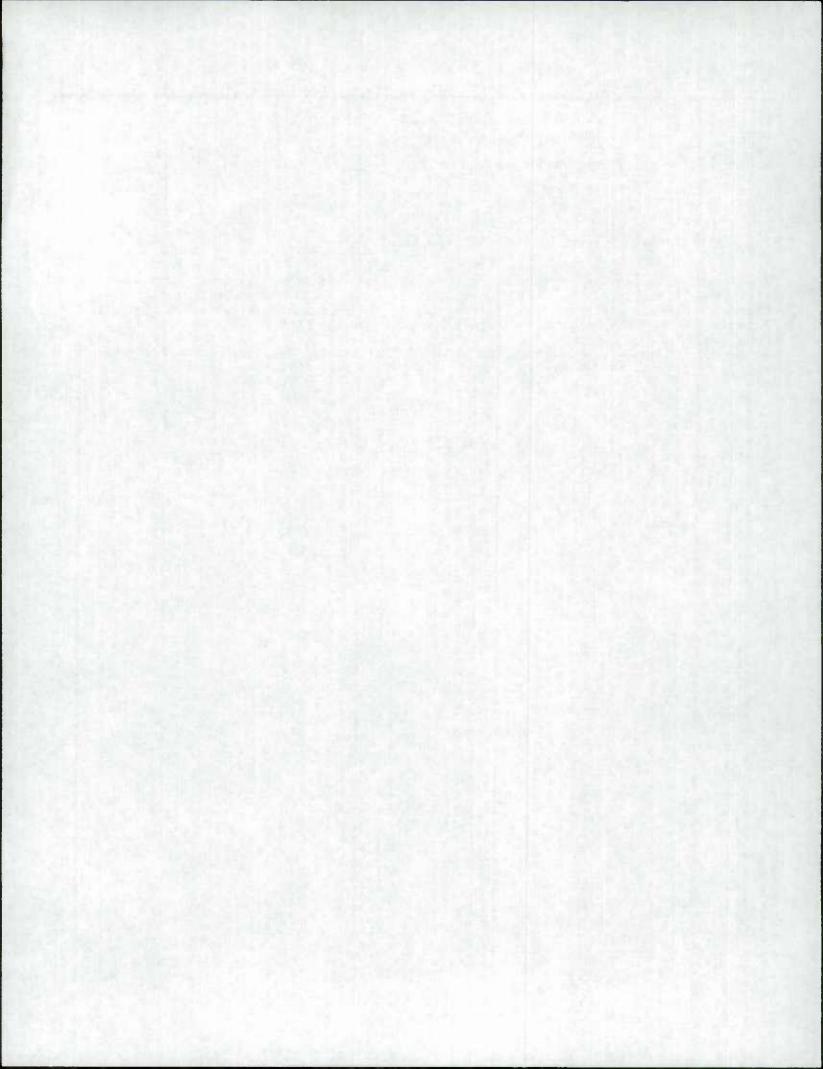
I was going through the comments for this subdivision and want to clarify our position on the "unmerger" of the lots you referenced in your comment letter dated June 9, 2008. Because these lots were created prior to August 22, 1988, we would not accept an Unmerger Agreement from the applicant and required them to demonstrate ability to meet full compliance through the subdivision process. So, in accordance with our code they are following the appropriate procedure for development on the two lots and effectively are not going through an unmerger, but rather through a subdivision.

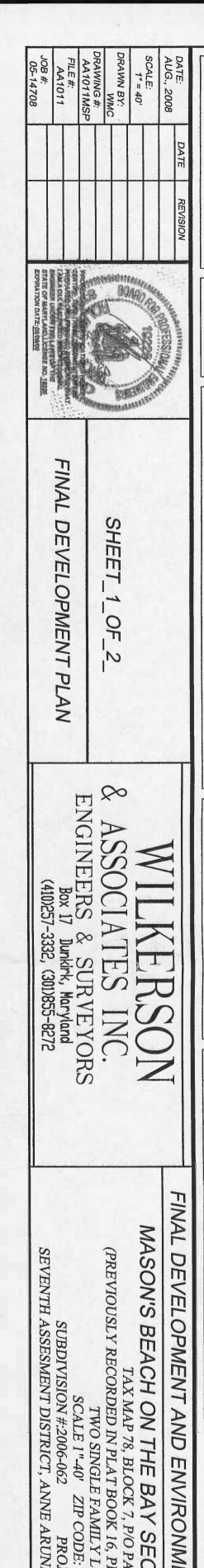
Thomas F. Burke Planner III Anne Arundel County Office of Planning and Zoning 410-222-7960

RECEIVED

AUG 0 8 2008

PLANNING AND ZONING DEVELOPMENT





DENOTES EX. & PR. SWM DRAINAGE AREAS DENOTES CRITICAL AREA OVERLAY CLASSIFICATION DENOTES RUNOFF FLOW DIRECTION (ditches) DENOTES ENDGE OF PAVEMENT AREA TABULATION TOTAL NUMBER OF LOTS:. . R5 (CRITICAL AREA CURRENT ZONING:... IDA) DENSITY: (R5) 2 LOTS . 21.190.74 S.F. (0.49 AC.) GROSS AREA: . 21,190.74 S.F. (0.49 AC.) TOTAL LOT AREA: 10,595.37 S.F. (0.24 AC.) 10,595.37 S.F. (0.24 A.C.) OPEN SPACE: 6,357.22 S.F. (0.15 AC.) REQUIRED: PROVIDED 0 S.F. (0.00 A.C.)* RECREATION AREA: 2000 S.F. (0.04 AC.) REQUIRED: 0 S.F. (0.00 AC.)* ACTIVE RECREATION AREA: 1.500 S.F. (0.03 AC.) REQUIRED: * SEE MODIFICATION NOTE, THIS SHEET. SITE ANALYSIS STORMWATER MANAGEMENT SUMMARY TABLE PRE-DEVELOPED CONDITION .21.190.74 S.F. (0.49 AC.) TOTAL LOT AREA: 2,103 S.F. (0.048 AC.) EX. WOODED AREA:. EX. HOUSE TO BE REMOVED ... 1,808 S.F. (0.042 A.C.) EX. BUILDING TO BE REMOVED ... 260 S.F. (0.006 AC.) harge rate is 1.28 cfs < 2.0 390 S.F. (0.009 AC.) EX. SHED . 182 S.F. (0.004 AC.) EX. SIDE WALK lot Needed 2,408 S.F. (0.055 AC.) EX. DRIVEWAY TO BE REMOVED Not Needed TOTAL EX. IMPERVIOUS ON SITE 5,048 S.F (0.116 AC.) 23.823 % OF SITE AREA POST-DEVELOPED CONDITION AS NOTED IN THE STROMWATER MANAGEMENT NOTE, IMPERVIOUS AREA ON SITE WILL BE ROOFTOP AND NON ROOFTOP DISCONNECTED. TOTAL LOT AREA:.. . 21,190.74 S.F. (0.49 AC.) IMPERVIOUS AREAS THAT DO NOT MEET THE 75' DISCONNECTION CREATE TWO LOT EACH OF: LENGTH WITH LESS THAN 4% SLOPE WILL BE ADDRESSED BY . 10,595.37 S.F. (0.24 AC.) LOT 7R. PLANTING, THUSLY: .. 10,595.37 S.F. (0.24AC.) PROPOSED HOUSE AREA (EACH ONE) = 35' * 45' = 1,575 SO.FT. EREQUIRING FOUR ROOFTOP LEADERS (PROPOSED REAR LEADERS WILL REDIRECT RUNOFF TOWARDS THE FRONT OF THE LOTS TO THE 1,575 S.F. (0.036 AC.) EXISTING DITCH, PROPOSED FRONT LEADERS, WHICH DO NOT MEET PROP. D/W .. 921 S.F. (0.021 AC.) THE 75' REQUIREMENTS, WILL ADDRESS UNTREATED SURFACE WITH PLANTINGS.PROPOSED DRIVEWAYS WILL BE NON-ROOFTOP 2,496 S.F. (0.057 AC.) TOTAL IMPERVIOUS AREA.. 23.56 % OF SITE AREA PROPOSED PLANTINGS (@ 1 TREE AND 3 SHRUBS / 100 SQ.FT OF FOR 788 SQ.FT OF IMPERVIOUS FOR EACH HOUSE X 2 = 1,576 SQ.FT 1,575 S.F. (0.036 AC.) PLANTING REQUIRED = N = 1,576 / 100 = 15.76 PLANTING UNIT PROP. D/W. 806 S.F. (0.021 AC.) PLANT ON EACH FUTURE LOT AND FOR EACH HOUSE 4 TREES AND 12 TOTAL IMPERVIOUS AREA.. 2,381 S.F. (0.055 AC.) THE TOTAL NUMBER OF PLANTING FOR THE SUBDIVISION IS 8 TREES 22.47 % OF SITE AREA AND 24 SHRUBS. PLANTING SCHEDULE SPACING AREA 3 (Three) AZALEAS or 1 (One) Tree for each 100 sq.ft Imperevious LANTING PROPOSED PLANTING REQUIRED 8 TREES AND 24 SHRUBS 16 PLANTS ARE REQUIR SOIL BORING DATE: 02/20/07 AUG 13 2000 CRITICAL AREA COMMISSION Chesapeake & Atlantic Coastal Bays OPEN SECTION D/W

PAVING DETAIL (NOT TO SCALE)

Channel Analysis: (front of the lot)

THIS SECTION OF THE CHANNEL IS THE EXSITING CHANNEL IN

BORING # 2

BORING # 1

FRONT OF THE LOTS AND ADJACENT TO MELBOURNE AVE.

GENERAL NOTES

SOILS

MAPPIN

FEMA MAP 240008 0059C.

(OPZ ZONING MAP T-43).

SYMBOL K-VALUE

0.43

OWNER INFORMATION

LOT 7 JACK BANNISTER

5801 ALLENTOWN RD. CAMP SPRINGS, MD, 20746

T.A.# 7-516-04514602

L/F: 14829/474

ZONING: R5

<u>LOT 8</u> STEPHEN P. WATSON

802 BAY FRONT AVE.

NORTH BEACH, MD. 20714

T.A.# 7-516-90220626

L/F: 14829/459

ZONING: R5

ZONING: R5 SETBACKS

LEGEND

DENOTES EX. TREE LINE

DENOTES EX. FENCE

DENOTES EX. SOILS BOUNDARY

DENOTES PICTURE LOCATION

DENOTES ASSIGNED HOUSE NUMBERS

DENOTES EX. & PR. TIME OF CONCENTRATION

SIDE: REAR:

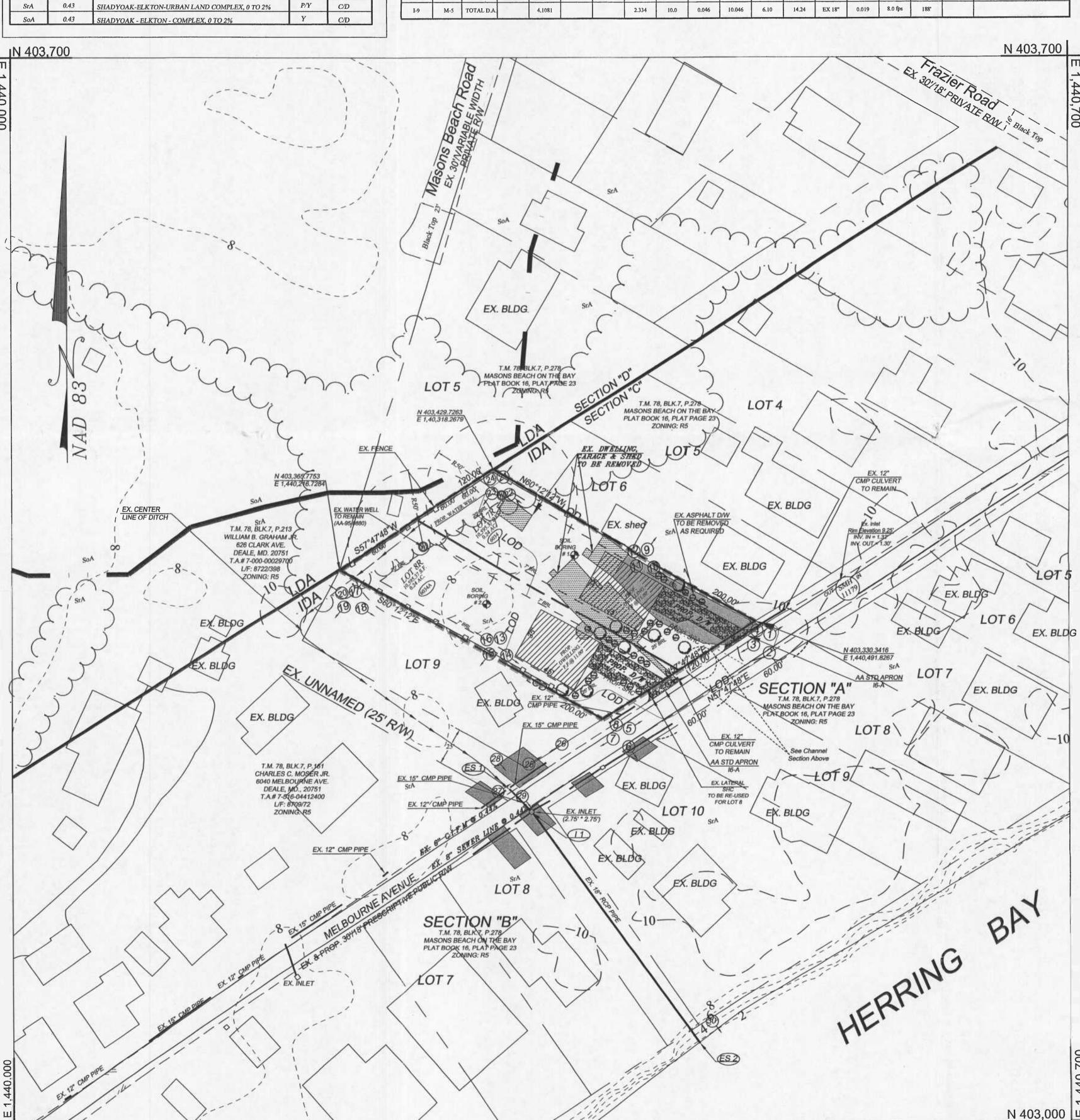
X-X-X

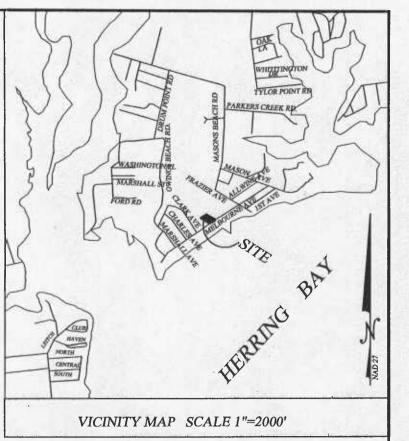
CORNER:

WIDTH AT R/W: WIDTH AT BRL:

1. THIS PROPERTY IS LOCATED ENTIRELY WITHIN THE IDA FEDERAL NO JENERAL DOS DESIGNATION OF THE CHESAPEAKE BAY CRITICAL AREA. 2. THIS PROPERTY CONTAINS NO FLOOD PLAIN PER 3. THIS PROPERTY IS ZONED R5 IN ITS ENTIRETY 4. ALL EXISTING STRUCTURES SHOWN HEREON ARE TO BE REMOVED. 5. LOTS 7 & 8 WILL BE SERVED WITH PUBLIC SEWER (SEE DPW DRAWING # 24050) AND WITH PRIVATE WATER WELLS. 6. TOPOGRAPHY IS BASED UPON ANNE ARUNDEL COUNTY AERIAL PHOTOGRAMMETRY (TILE: 10A) IT I TREE AND 3 SHRUBS FOR EACH 100 SOLFT OF IMPERVIOUSNES

				STORM DRAIN FLOW TABULATIONS																	
STABLE			L	OCATION	AREA	ACRES		COEFF.	C4 (C4	FGA	TIME CONC. MIN.			INTEN. Q = CIA	Q = CIA						REMARKS
			FROM	TO		SUB.	TOTAL	"C"	CA 20/CA 10	ΣCAn	INLET	DRAIN	TOTAL	"I 20/I 10"	"I 20/I 10" C.F.S.	SIZE	SLOPE (FILICITO)	VELOCITY	LENGTH	$Td = \iota_{(V^*60)}$	KINAKKI
ING UNIT	HYDRIC	GROUP	ES 1	11	TRIBU.T D.A.	2.5034		0.50	1.25/1.42		10.0	- 1	10.0	6.95/6.10	8.6875	EX. 15"	0.018	6.9 fps	19'	0.046 sec.	SUMP INLET-20 YEAR STORM
		NO.		11	INLET D.A.	1.6047		0.50	0.8/0.914		10.0	-	10.0	6.95/6.10	5.57	EX. 18"		_===			SUMP INLET-20 YEAR STORM
LAND COMPLEX, 0 TO 2%	P/Y	C/D	1-9	M-5	TOTAL D.A.		4,1081			2.334	10.0	0.046	10.046	6.10	14.24	EX 18"	0.019	8.0 fps	188'		
DI EW A TO MA	v	C/D																			





PREVIOUSLY RECORDED PLAT NOTE

THE PROPERTY SHOWN HEREON WAS PREVIOUSLY RECORDED ON A PLAT ENTITLED: MASON'S BEACH ON THE BAY THE PLAT OF WHICH IS RECORDED AMONG THE LAND RECORDS OF ANNE ARUNDEL COUNTY, MD., IN PLAT BOOK 16, PLAT PAGE 23, PLAT # B-242 AND IN PLAT BOOK 15, PLAT PAGE 47, PLAT # B-211. EXCEPT AS SPECIFICALLY REVISED HEREBY, THIS SUBDIVISION IS SUBJECT TO ALL NOTES AND CONDITIONS APPEARING ON THE SAID PREVIOUSLY RECORDED PLAT.

PURPOSE NOTE

LOTS 7 & 8. SHOWN HEREON, ARE MERGED BY OPERATION OF LAW PURSUANT TO ARTICLE 18. TITLE 4. SECTION 4-203(b). THE PURPOSE OF THIS APPLICATION IS TO SECURE SUBDIVISION APPROVAL OF LOTS 7 & 8 TO RETURN THE LOTS TO THEIR ORIGINALLY PLATTED CONFIGURATION

MODIFICATION NOTE (# 9495)

MODIFICATION # 9495

TO WAIVE THE SKETCH PLAN SUBMITTAL PROCES; AND TO PERMIT THE PAYMENT OF A FEE-IN-LIEU OF THE PROVISION OF OPEN SPACE/ RECREATIONAL LAND AREA WAS GRANTED ON JANUARY 24, 2007 PROVIDED . HOWEVER. THAT THE SUBDIVISION BE PROCESSED AS A MAJOR FINAL SUBDIVISION AND, FURTHER PROVIDED, THAT A COMMUNITY MEETING BE HELD AS REQUIRED BY LAW. MODIFICATION # 9952

TO WAIVE RIGHT-OF-WAY DEDICATION AND FRONTAGE IMPROVEMENTS FOR MELBOURNE AVENUE WAS GRANTED ON JULY 16, 2008.

SUBDIVISION POTENTIAL NOTE

THE PROPERTY SHOWN HEREON MAY NOT BE FURTHER SUBDIVIDED.

STORMWATER MANAGMENT NOTE

This subdivision was designed utilizing the 2000 Maryland State Stormwater Management Manual. A) The Disconnection of Rooftop Runoff Credit (Section 5.2) will be used for Storm water

management. The Criteria for this credit is as follows:

1) Rooftop cannot be within a designated hotspot (valid for this subdivision);

2) Disconnection shall cause no basement seepage, (valid for this subdivision);

3) The contributing area of rooftop to each disconnection discharge shall be 500 square

feet or less (valid for this subdivision); 1) The length of the "disconnection" shall be 75' or greater, or compensated using table 5.2; 5) Drywells, French drains, or other similar storage devices may be utilized to compensate

for areas with disconnection lengths less than 75 feet: in this case, due the high water level existing on site (check soil boring on ECP), the overlaying soil is type C/D, and the site is in the IDA Critical Area, the compensation SWM method will be provided by

6) In residential development applications, disconnection will only be credited for lot size greater than 6,000 sq.ft (lot 7R = 10,595.37 sq.ft & lot 8R = 10,595.37 sq.ft); The entire "disconnection" shall be on an average slope of 5 % or less. (This site has slope less than 2%)

B) the Disconnection for Non-rooftop Credit is used for the proposed driveway with the use of planting to compensate the area of non-conformity with the credit. (Section 5.3):

i) Rooftop cannot be within a designated hotspot (valid for this subdivision);

ii) The max. Contributed little in the conformation of the conformati

iii) The disconnection shall drain continuously through a vegetated channel, swale, or filter; iv) The length of the disconnection must be equal to or greater than the contributing

v) The surface impervious area to any one discharge location cannot exceed 1,000 sq.ft; vi) Drywells, French drains, or other similar storage devices may be utilized to compensate for areas with disconnection lengths less than 75 feet: in this case, due the high water level existing on site (check soil horing on ECP), the overlaying soil is type C/D, and the site is in the IDA Critical Area, the compensation SWM method will be provided by

vii) The entire "disconnection" shall be on an average slope of 5 % or less. (This site has slope less than 2%)

The SWM Five Criteria Summary:
For the proposed dwellings on Lots 7R and 8R, water quality and recharge volumes will be provided by using section 5.2 of the state manual that provides for the Rooftop Disconnection Credit with the use of Planting. For the driveways on lots 7 and 8 water quality and recharge volume will be provided by using section 5.3 of the state manual for driveways and offset the impervious area by planting. (The site is in the IDA critical Area with soil Type C/D and High Water Table: check soil boring). As to the Channel protection volume, the post runoff qi is less than 2.0 cfs, therefore no storage

Over hank Flood Protection is not required because a downstream analysis demonstrated that the proposed development would not cause any erosion, flooding, or any adverse impact to the downstream conveyance system. (Check The Downstream photographic Tour)

As to the extreme flood protection, there is no evidence of flooding downstream of the property, and the proposed development is not located within the floodplain. (See Tr-55 report for more details). NOIL. ALL THE PLANTINGS MUST BE AS REQUIRED BY THE ANNE ARUNDEL CODE FOR CRITICAL AREA PLANT ONE (1) TREE AND THREE (3) SHRUBS FOR EACH IMPERVIOUS AREA HAT WILL NOT BE COMPENSTAED BY THE CREDITS NOTED ABOVE.

OUTFALL STATEMENT

Wilkerson & Associates, Inc. performed a field examination on October 29, 2007. The site is a flat area around 9 ft elevation. There exist two grass ditches: one at the front side of the lot and one in the rear of the lot. The Ditch located in the rear of the lot runs in a southwesterly direction adjacent to the property line and out falls into the existing grass ditch in the 25' unnamed right-of-way to be conveyed later by an existing 15" CMP pipe below Melbourne Ave, toward an existing Yard Inlet thence through the underground 18" RCP directly toward Herring Bay. The existing ditch adjacent to Melbourne Ave. is conveying part of the runoff from the site in a southwesterly direction toward the same existing 15" CMP pipe below Melbourne Ave. This Outfall is located approximately 532' Southwest of the intersection of Frazier Ave. and Melbourne Ave. The v-shaped grass ditches are well defined, and currently in stable condition. There is no sign of erosion, sedimentation or flooding at the downstream outfall. It is our belief that the development, coupled with the improvements, managed and maintained properly, will cause no detrimental effects to downstream properties

SURVEY CONTROL NOTE

THE COORDINATES, AND BEARINGS SHOWN HEREON ARE BASED ON THE MARYLAND STATE SYSTEM OF PLANE COORDINATES NAD 83 AS ESTABLISHED FROM THE ANNE ARUNDEL COUNTY DEPARTMENT OF PLANNING AND ZONING.

A) STATION MON. - 388-A: N 403381.411, E 1441155.05. BEING A 5/8" IRON BAR SET AT MASON BEACH

B) STATION MON. - 388-AZ: N 404547.03, E 1440584.28. BEING A CONC. MON. SET EAST OF MASON BEACH RD., 0.45 MILES± EAST OF DEALECHURCHTON RD.

C) THE MEETS AND BOUNDS OF THE PRPERTY ARE BASED ON THE PLAT ENTITELED: " PLAT BOOK _____, FOLIO___

