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/

February 3, 2009

Mr. Dan Gerczak Anne Arundel County Office of Planning and Zoning 2664 Riva Road, MS 6303 Annapolis, Maryland 21401

Re: Bay Meadow Industrial Park

C 08-0025, G 02013383

Dear Mr. Gerczak,

Thank you for forwarding the revised site plan for review and comment. The applicant proposes to construct a 65,000 square foot commercial building and parking lots on an undeveloped 6.54 acre parcel in the Critical Area. The property is designated as an Intensely Developed Area (IDA). The applicant has addressed most of this office's comments from my July 11, 2008 letter. I have provided my remaining comments below:

- 1. It is unclear how the 0.37 acres of impervious surface that were deducted using the grass channel credit were calculated. I calculate from the plans that there are 2.35 acres of parking lot, and subtracting the 1.89 acres of remaining parking lot shown on the 10% calculation leaves 0.46 acres instead of 0.37 acres. Please have the applicant clarify how the 0.37 acre impervious surface deduction was calculated.
- 2. Please have the applicant provide the acreages of the onsite drainage areas that are directed to each of the BMPs. I was able to locate a chart with acreages for the proposed grass channels but not for any of the BMPS.
- 3. In order to count portions of drainage areas that first flow through one BMP toward the drainage area served of the infiltration trench, the applicant must use the "BMPs in a series" formula found in the frequently asked questions section of the Critical Area 10% Rule Guidance Manual, p. 7-9, #27.

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

Mr. Gerczak February 3, 2009 Page 2 of 2

Sincerely,

Amber Widmayer

Natural Resources Planner

cc: AA 179-08

Anthony G. Brown Lt. Governor



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## 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/

October 14, 2008

Mr. Dan Gerczak Anne Arundel County Office of Planning and Zoning 2664 Riva Road, MS 6303 Annapolis, Maryland 21401

Re: Bay Meadow Industrial Park

C 08-0025, G 02013383

Dear Mr. Gerczak,

I have received the above-referenced site plan for review. The applicant proposes to construct a 65,000 square foot commercial building and parking lots on an undeveloped 6.54 acre parcel in the Critical Area. The property is designated as an Intensely Developed Area (IDA). At an October 14, 2008 meeting with Commission staff, the applicant demonstrated that most of this office's comments from my July 11, 2008 letter have been addressed. I have provided my remaining comment below:

1. It is this office's understanding based on our October 14, 2008 meeting with the applicant that the 10% calculations will be revised to include bioretention areas and a reduced grass channel credit for the proposed grass channels that will treat only linear areas of impervious surfaces as is appropriate. Please forward these revised calculations and plans once they are available.

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 179-08

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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/

July 11, 2008

Mr. Dan Gerczak Anne Arundel County Office of Planning and Zoning 2664 Riva Road, MS 6303 Annapolis, Maryland 21401

Re:

Bay Meadow Industrial Park C 08-0025, G 02013383

Dear Mr. Gerczak,

I have received the above-referenced site plan for review. The applicant proposes to construct a 65,000 square foot commercial building and parking lots on an undeveloped 6.54 acre parcel in the Critical Area. The property is designated as an Intensely Developed Area (IDA). I have provided my comments below:

- 1. As requested, the applicant has provided the 10% pollutant reduction calculations. The applicant proposes to partially address the pollutant reduction requirement with a grass channel credit. However, grass channels are intended for treatment of roads and other similar linear impervious surfaces with narrow widths. Therefore, the applicant must provide another treatment option to address the 10% pollutant reduction. For instance, it appears that using a nonrooftop disconnect credit might be appropriate if the plans were revised so that "the length of the disconnection [is] equal to or greater than the contributing length. 2000 Maryland Stormwater Design Manual Section 5.3, Disconnection of Non Rooftop Runoff Credit. Currently, this is not the case because the contributing length of impervious surface is as much as 60 feet, but the distance the water travels within the channels in some instances is only the width of the channel due to the number and configuration of inlets which direct water from the channel and into the pipe leading to the infiltration trench. Perhaps if the number of inlets was reduced, the applicant could meet the nonrooftop disconnect credit requirements to deduct some of the proposed impervious surface area. Alternatively, it appears that there is room on the site to install a perimeter sand filter.
- 2. There are direct contradictions in the applicant's submitted information with reference to the presence of wetlands or waters of the U.S. on the property. The applicant references the U.S. Army Corps of Engineers' determination that there are no tidal or nontidal wetlands on the property. Yet, sheet 13 of 14 of the plans indicates that the coastal plain outfall connects with an existing stream on the property at the edge of the proposed forest conservation area. Additionally, sheet 8 of 14 notes that "stormwater management for quantity has been waived per stormwater management #13-85, under current Code Section 3-204-9(a)5," which indicates

TTY for the Deaf Annapolis: (410) 974-2609 D.C. Metro: (301) 586-0450 that there is a direct connection to tidal waters on the property. The applicant must resolve this inconsistency. If there are no streams or wetlands on the property, it appears the applicant can not use the coastal plain outfall and will have to provide stormwater quantity management. Alternatively, if there is a stream or wetlands on the property, the applicant must show a 100-foot Buffer from the edge of the tidal wetlands or waters, or edge of the stream and the Buffer must be expanded to include contiguous hydric soils or slopes 15% or greater.

- 3. It is unclear how the feature labeled as the expanded Buffer on the plans was mapped. As described above, the applicant indicates that no wetlands or waters of the U.S. are on the property. Therefore, it is unclear as to what water feature the shown expanded Buffer is measured from. If there is a stream or wetlands on the property, it does not appear that the expanded Buffer is mapped correctly as described above. Please have the applicant correctly map the 100-foot Buffer or expanded Buffer as necessary. The Buffer mapping must be based on a field delineated survey.
- 4. If there is a stream and its requisite Buffer on the property, it appears that the currently proposed development footprint will be located within that Buffer. If this is the case, the proposed development must be reconfigured so that no disturbance is proposed within the Buffer for clearing, grading or locating structures, roads or parking lots. The stormwater outfall may be located in the Buffer as it is a water dependent facility, and the applicant must provide mitigation plantings at a 2:1 ratio for the total footprint of Buffer disturbance for construction of the outfall. If any other disturbance is proposed in the Buffer, the applicant must obtain a variance to permit such Buffer disturbance. It does not appear that the applicant can meet the variance standards since it appears there is enough room for reasonable development of the property outside of the Buffer. Consequently this office would not support a Buffer variance request. Therefore, the applicant should revise the plans so that no disturbance in the Buffer is proposed, with the exception of disturbance associated with construction of a water dependent stormwater outfall.

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 179-08

Anthony G. Brown
Lt. Governor



Margaret G. McHale

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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/

April 18, 2008

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

Re: Bay Meadow Industrial Park

C 08-0025, G 02013383

Dear Ms. Krinetz,

I have received the above-referenced site plan for review. The applicant proposes to construct a 65,000 square foot commercial building and parking lots on an undeveloped 6.54 acre parcel in the Critical Area. The property is designated as an Intensely Developed Area (IDA). I have provided my comments below:

- 1. Please have the applicant complete and submit the 10% pollutant reduction requirement worksheets as required for development within the IDA. These worksheets and other information about the 10% pollutant reduction requirement are available are the following website address: http://www.dnr.state.md.us/criticalarea/guidancepubs/10percent\_rule.html
- 2. The applicant has stated that the wetland survey indicated that there are currently no tidal or nontidal wetlands on the property, despite the previously platted wetlands that are shown on the plans. It appears that if any wetlands are present as shown on the plans, this may result in an expanded Buffer on the property which could affect the location of the project. Please provide further information about the wetlands on the property once the U.S. Army Corps of Engineers has made a determination about the site.
- 3. It is unclear what is meant by the label "Critical Area Limits" on the cover sheet of the plans, since this label appears to be pointing to the IDA/RCA line, which is not the edge of the Critical Area. This label should be corrected or removed.
- 4. Please have the applicant confirm that the existing forest conservation easement areas shown on the plans will not be disturbed by the proposed grading and construction of the stormwater treatment facilities.

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

Ms. Krinetz April 18, 2008 Page 2 of 2

Sincerely,

Amber Widmayer Natural Resources Planner

AA 179-08



