

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/](http://www.dnr.state.md.us/criticalarea/)

January 29, 2013

Ms. Katherine Munson, Critical Area Planner  
Department of Review and Permitting  
Worcester County  
One West Market Street, Room 1201  
Snow Hill, MD 21863

Re: Your Doc's In; Waterview Avenue  
Map 26, Parcel 392; Site Plan

Dear Ms. Munson:

Thank you for submitting the Project Notification application for the above referenced site and proposal for a new office complex. The applicant has applied for a building permit that is in excess of 15,000 sq. ft. of disturbance. The site of the proposed building is located in the Critical Area Intensely Developed Area (IDA). I have reviewed the submitted information and have the following comments:

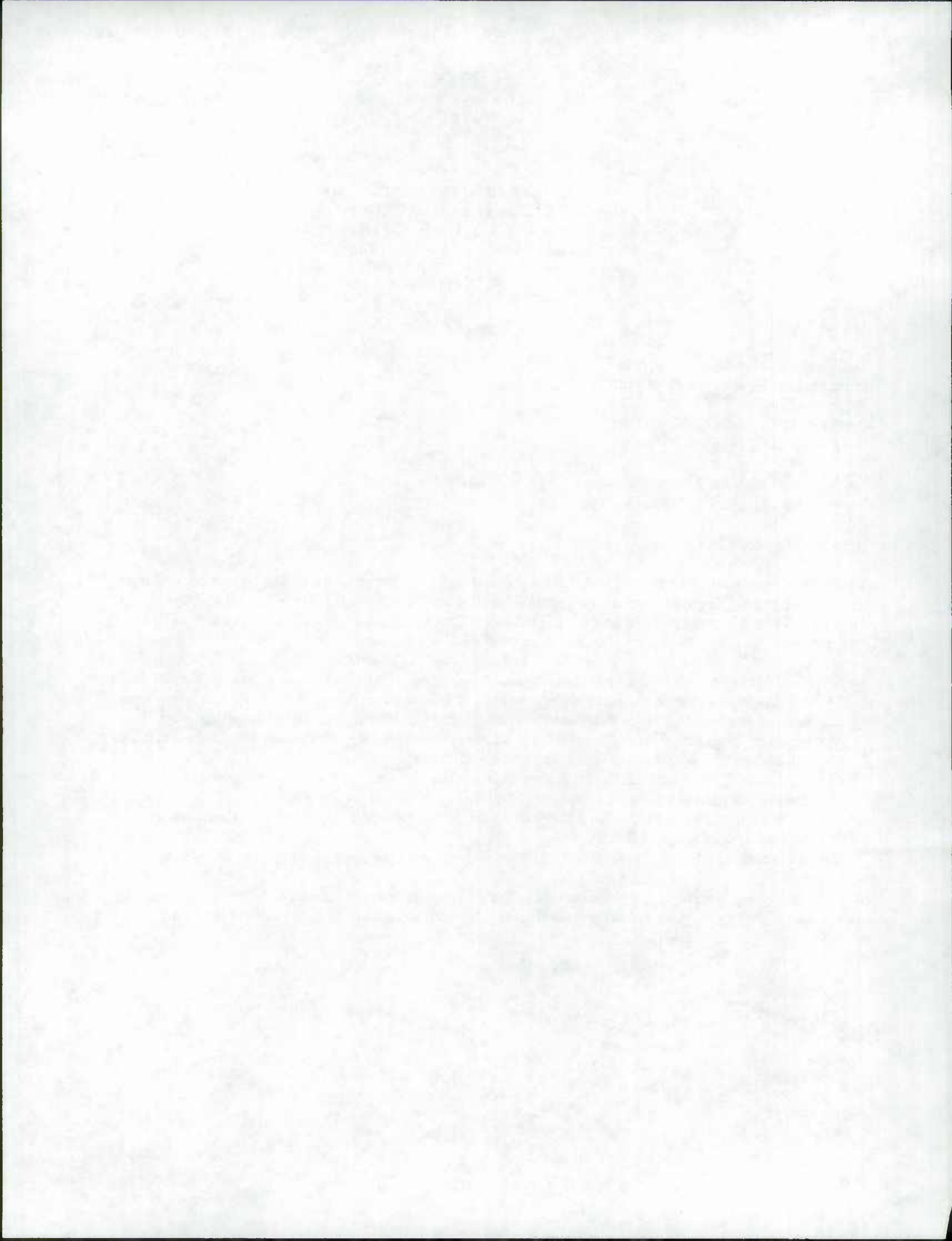
1. The 10% calculations indicate that stormwater management will be met onsite. However, the plan lacks a drainage area map. With a very high percentage of drainage area served, such as 96%, it is important to document how that much stormwater will be directed to the BMP. Please provide a detailed drainage area map. The Critical Area Commission Staff have developed a new stormwater spread sheet that also calculates ESD. We would appreciate promotion of its use.
2. A June 17, 2008 letter from DNR Heritage indicates that there are no listed rare, threatened and endangered species within the boundaries of the site. However, there are impacts to nontidal wetlands and the applicant has applied for a Letter of Authorization from MDE to fill both wetlands and their buffers. If your program lists no ntidal wetlands as a Habitat Protection Areas, then a variance should be required prior to site plan approval.

Based on the comments above, we recommend that the applicant submit a revised stormwater plan. Thank you for the opportunity to provide comments. Please contact me with any questions at 410-260-3468.

Sincerely,

A handwritten signature in cursive script, appearing to read "Roby Hurley".

Roby Hurley  
Natural Resources Planner  
RH/jjd  
WC563-08



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

October 8, 2008

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

Ms. Janet Davis, Critical Area Planner  
Department of Review and Permitting  
Worcester County  
One West Market Street, Room 1201  
Snow Hill, MD 21863

Re: Waterview Av. Office Complex; Map 26, Parcel 392

Dear Ms. Davis:

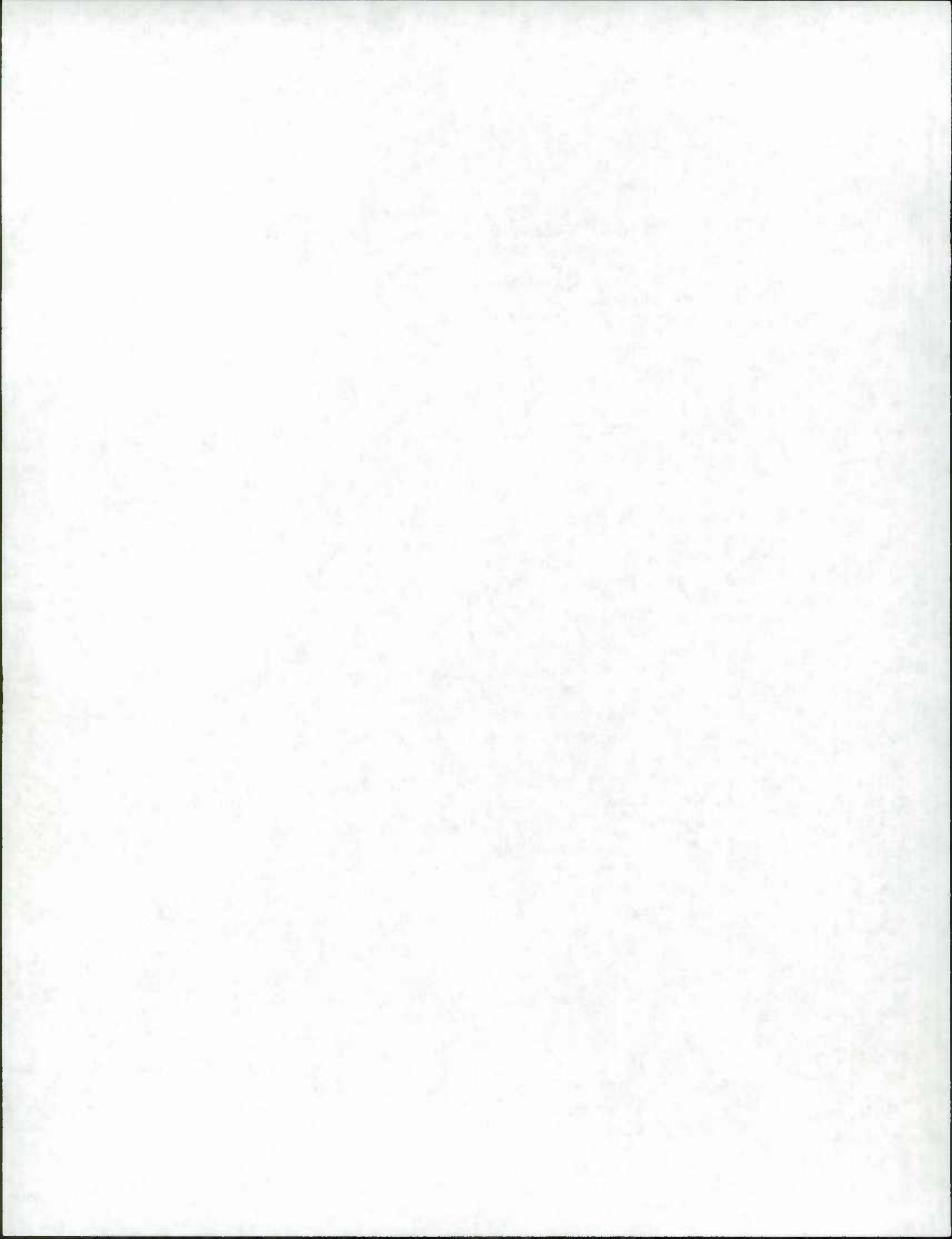
Thank you for submitting the Project Notification application for the above referenced site and proposal for a new office complex. The applicant has applied for a building permit that is in excess of 15,000 sq. ft. of disturbance. The site of the proposed building is located in the Critical Area Intense Development Area (IDA). I have reviewed the submitted information and have the following comments:

1. The 10% calculations appear to contain some inaccuracies. The 10% calculations state that a multiple pond BMP will be used for nutrient reduction; however the site plan only identifies one pond. Also, there is no identification of the drainage area. With a very high percentage of drainage area served, such as 96%, it is important to document how that much stormwater will be directed to the BMP. Please provide a detailed drainage area map.
2. A June 17, 2008 letter from DNR Heritage indicates that there are no listed rare, threatened and endangered species within the boundaries of the site. However, there are impacts to nontidal wetlands and the applicant has received a Letter of Authorization from MDE to fill both wetlands and their buffers. If your program lists nontidal wetlands as a Habitat Protection Areas then a variance should be required prior to site plan approval.
3. Although not a requirement, it would be beneficial to include pre and post forest stand calculations. It appears that a large percentage of the site will be cleared. The application indicates that 12,450 sq. ft. of the site will be reforested which exceeds the County 15% requirement.

Based on the comments above, we recommend that the applicant submit a revised stormwater 10% plan. Thank you for the opportunity to provide comments. Please contact me with any questions at 410-260-3468.

Sincerely,

  
Roby Hurlley  
Natural Resource Planner  
WC563-08





DEPARTMENT OF  
DEVELOPMENT REVIEW AND PERMITTING

## Worcester County

GOVERNMENT CENTER  
ONE WEST MARKET STREET, ROOM 1201  
SNOW HILL, MARYLAND 21863  
TEL: 410-632-1200 / FAX: 410-632-3008

BOARD OF APPEALS  
PLANNING COMMISSION  
AGRICULTURAL PRESERVATION

ELECTRICAL BOARD  
SHORELINE COMMISSION  
LICENSE COMMISSIONERS

### MEMORANDUM

TO: Kelly Henry, Zoning Administrator  
FROM: Janet Davis, Critical Area Specialist  
DATE: October 8, 2008

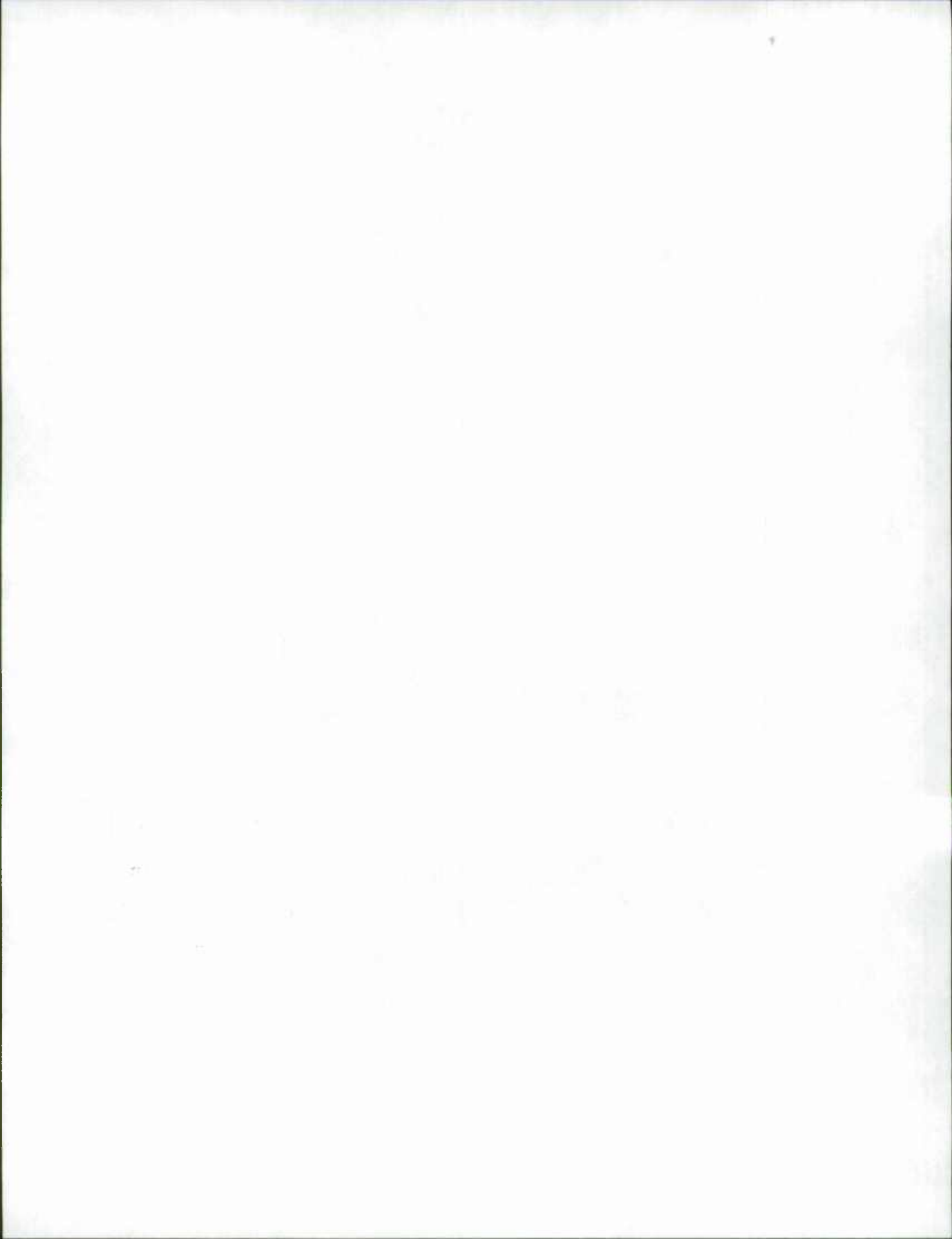
SUBJECT: TRC Meeting- October 15, 2008  
Waterview Avenue Complex, US Rt. 50 & Waterview Avenue  
Tax Map 26, Parcel 392, Lots 41-53

The subject property has been designated as Intensely Developed Area (IDA) within the Atlantic Coastal Bays Critical Area (Critical Area) and must comply with the development standards set forth in  $\delta$ NR 3-106(c) of Worcester County Code of Public Local Laws (County Code). Based on a review of the proposed site plan, critical area site plan and environmental report, the following comments are generated:

1. Please add the standard ACBCA note to the plan: **Worcester County Atlantic Coastal Bays Critical Area Law:** This property lies within the Worcester County Atlantic Coastal Bays Critical Area, any and all proposed development activity must meet the requirements of Title 3 (Land and Water Resources), Subtitle I (Atlantic Coastal Bays Critical Area) of the Worcester County Code of Public Local Laws in effect at the time of the proposed development activity.

2. Per  $\delta$ NR 3-106(c)(3), development shall be subject to Habitat Protection Area requirements set forth in  $\delta$ NR 3-120 -  $\delta$ NR 3-123 of the County Code. Non-tidal wetlands are included in Habitat Protection Areas. Per  $\delta$ NR 3-106(c)(10)B, development activities shall address the protection of existing forests and developed woodlands identified as habitat protection areas. Developer has proposed to impact 4,945 sq. ft. of forested non-tidal wetlands and its buffer. However, the developer has received a Letter of Authorization from MDE Water Management Administration for this impact. Pursuant to MDE's regulations, as this property is located in the Critical Area, payment was made into the mitigation fund for those impacts. It has traditionally been the Departments' stance that if MDE authorizes impacts to non tidal wetlands by Letter of Authorization (LOA) due to the impacted area being less than 5000 square feet, which is a vested right under non tidal wetlands law, a variance is not required. On the other hand, a variance would be required by the Department if it was a permit impact request that exceeds 5000 square feet of impact. *This addresses Comment #2 from the Critical Area Commission staff member, Roby Hurley.*

Additionally, due to the close proximity of a canal and the existence of ditches along the property lines, Chris McCabe, NR Administrator, and Spencer Rowe, Wetland Delineator, met on-site to evaluate these wetlands. It was determined that the impacted area was not tidally influenced; therefore, expansion of the critical area buffer was not required.



STATE OF MARYLAND  
DEPARTMENT OF THE ENVIRONMENT  
WATER MANAGEMENT ADMINISTRATION  
LETTER OF AUTHORIZATION



AUTHORIZATION NUMBER: 201360114/13-NT-2002

EFFECTIVE DATE: February 04, 2013


EXPIRATION DATE: February 04, 2016

AUTHORIZED PERSON: Berlin YDI LLC  
C/O Joe Pishtey  
2425 N. Salisbury Blvd.  
Salisbury, MD. 21801

IN ACCORDANCE WITH ENVIRONMENT ARTICLE §5-503(a) AND §5-906(b), ANNOTATED CODE OF MARYLAND (2007 REPLACEMENT VOLUME), COMAR 26.17.04 AND 26.23.01, AND 26.08.02 AND THE ATTACHED CONDITIONS OF AUTHORIZATIONS, Berlin YDI LLC ("AUTHORIZED PERSON"), IS HEREBY AUTHORIZED BY THE WATER MANAGEMENT ADMINISTRATION ("ADMINISTRATION") TO CONDUCT A REGULATED ACTIVITY IN A FORESTED NONTIDAL WETLAND AND WETLAND BUFFER IN ACCORDANCE WITH THE ATTACHED PLANS APPROVED BY THE ADMINISTRATION ON 02/04/2013 ENTITLED : Applicant : Berlin YTD LLC, 2425 N. Salibury Blvd., Salisbury, MD. 21801 ("APPROVED PLAN") AND PREPARED BY R. D. Hand and Associates, Inc. AND INCORPORATED HEREIN, AS DESCRIBED BELOW:

To impact 4,912 square feet of forested nontidal wetland and 11,049 square feet of wetland buffer for the construction of a commercial office building with associated parking and stormwater management facilities, as per the attached site plans. The site is located on the north side of U.S. Rt. 50, 11/4 miles east of Herring Creek Bridge, West Ocean City, Worcester County, Maryland.

MD Grid Coordinates: N76426 E563933

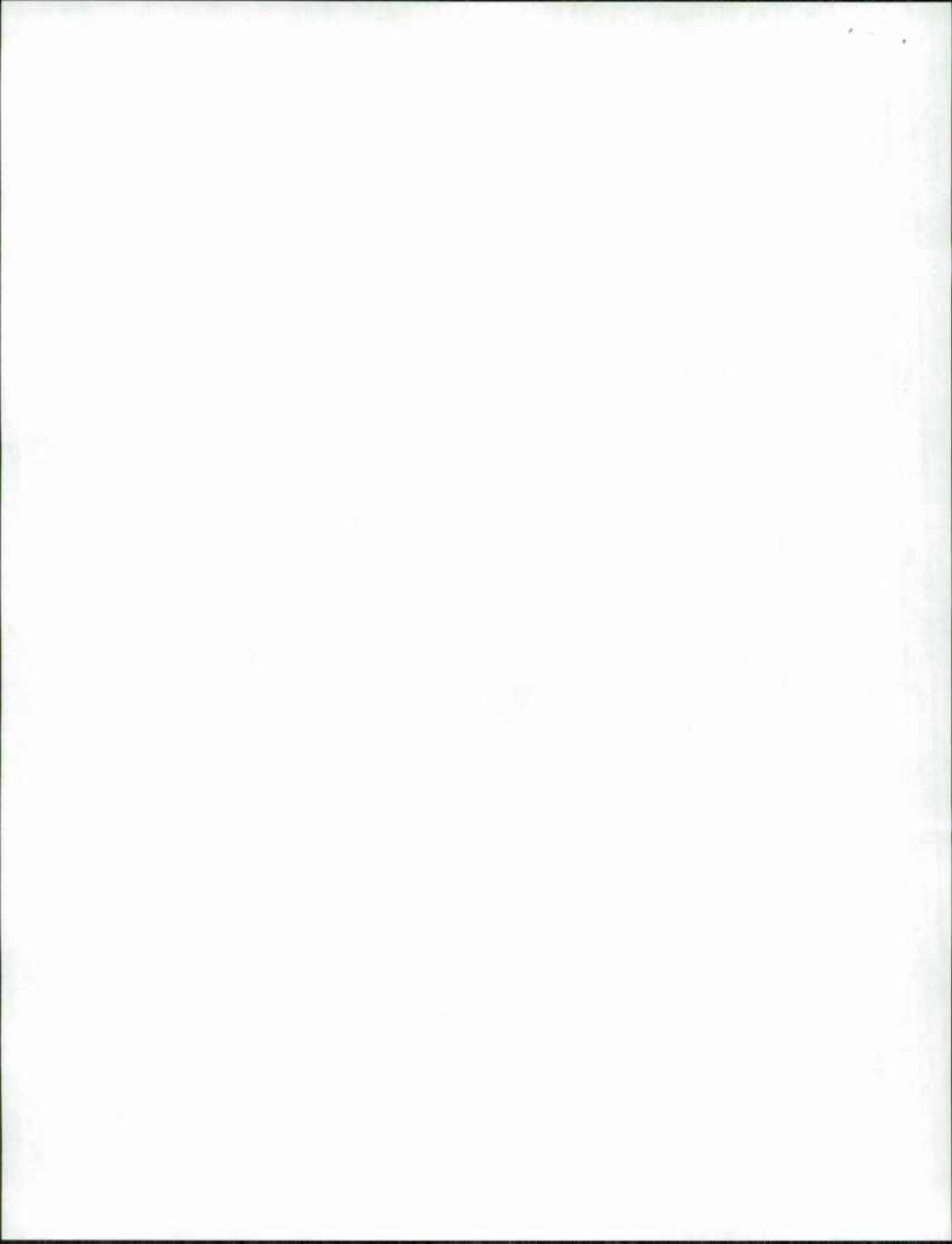
  
for Amanda L. Sigillito  
Division Chief

Nontidal Wetlands & Waterways Division

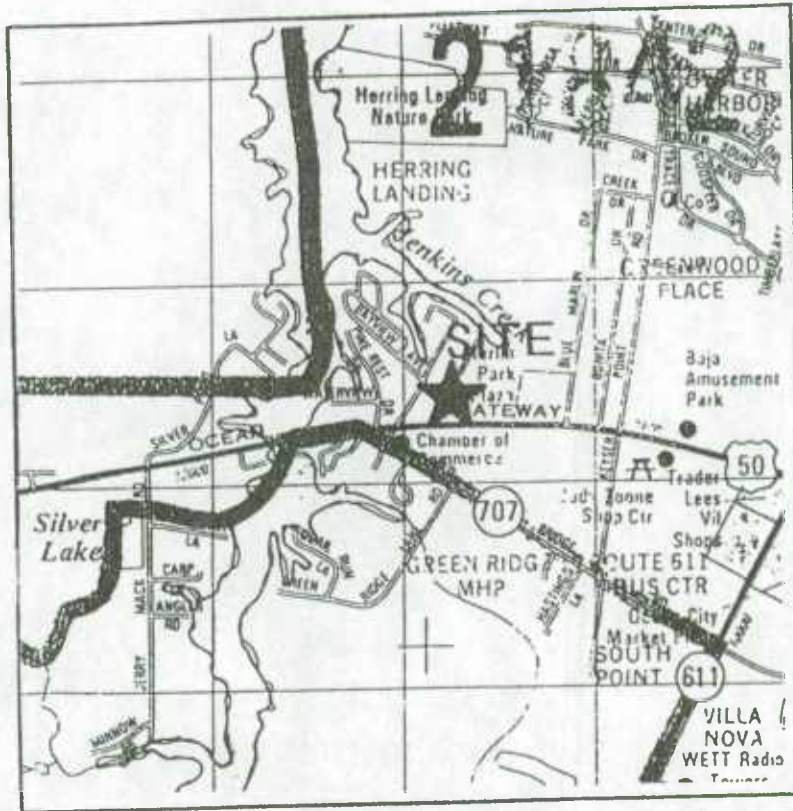
Attachments: Conditions of Authorization

cc: Spencer Rowe – Spencer Rowe, Inc.  
Dave Pushkar – WMA Compliance Program

201360114LAF







**VICINITY MAP**

**SITE DATA**

**PARCEL DESCRIPTION**

TAX MAP 26, PARCEL 392  
 ADJACENT PARCELS  
 WORCESTER COUNTY MARYLAND

**APPLICANT / DEVELOPER**

BERLIN YDI LLC.  
 2425 N. SALISBURY BLVD.  
 SALISBURY, MD 21801

**SITE AREA**

± 54,584 S.F.

**PROPOSED USE**

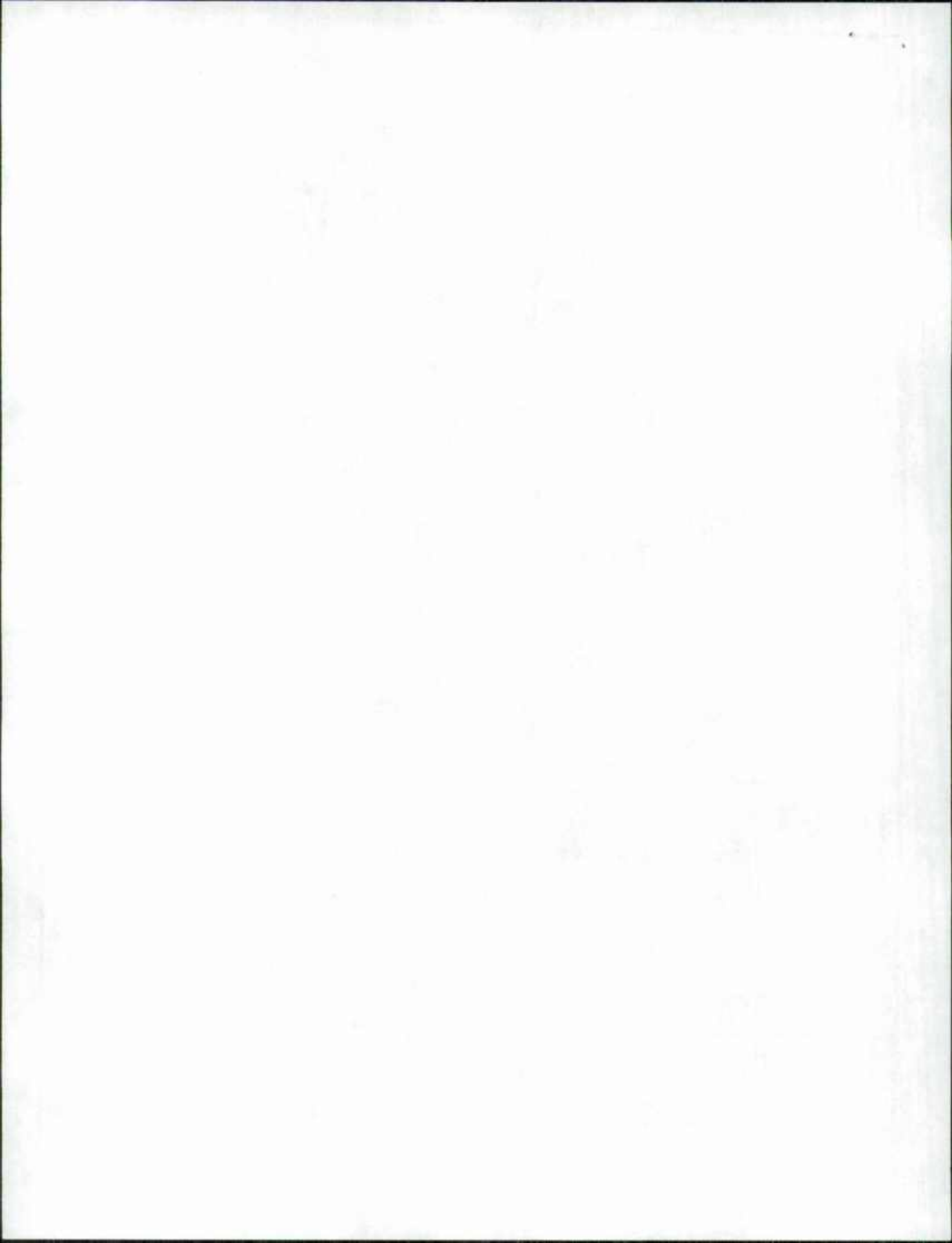
7,360 S.F. OFFICE

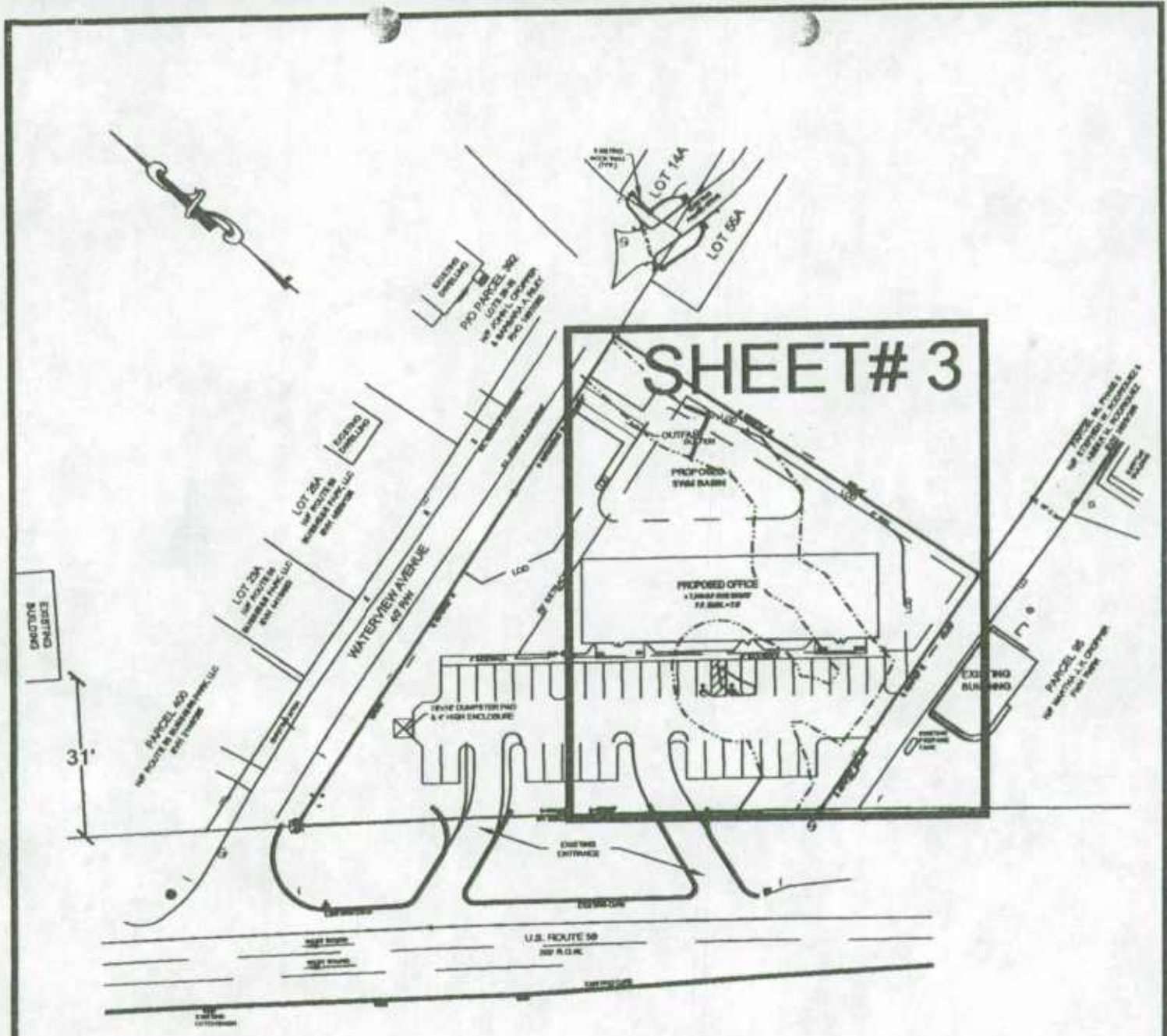
**IMPACTS**

NON TIDAL WETLAND IMPACT = ± 4,912 S.F.  
 NON TIDAL WETLAND BUFFER IMPACT = ± 11,049 S.F.

*Approved By: [Signature]*  
 2/4/2013

|  |   |                                |                                      |                                |
|--|---|--------------------------------|--------------------------------------|--------------------------------|
| <p><b><u>R.D. HAND AND ASSOCIATES, INC.</u></b><br/>         LANDSCAPE ARCHITECTURE, SITE PLANNING AND FEASIBILITY<br/>         12302 COLLINS ROAD BISHOPVILLE, MD. 21813 410-352-5623</p> | <p><b>APPLICANT</b><br/>         BERLIN YDI LLC.<br/>         2425 N. SALISBURY BLVD.<br/>         SALISBURY, MD 21801</p>  |                                |                                      |                                |
| <p><b>VICINITY MAP / SITE DATA</b></p>   | <table border="1"> <tr> <td data-bbox="892 1904 1073 1989"> <p><b>SCALE</b><br/>NONE</p> </td> <td data-bbox="1082 1904 1288 1989"> <p><b>REV. DATE</b><br/>12/12/12</p> </td> <td data-bbox="1296 1904 1569 1989"> <p><b>SHEET</b><br/>1 OF 3</p> </td> </tr> </table> | <p><b>SCALE</b><br/>NONE</p>   | <p><b>REV. DATE</b><br/>12/12/12</p> | <p><b>SHEET</b><br/>1 OF 3</p> |
| <p><b>SCALE</b><br/>NONE</p>   | <p><b>REV. DATE</b><br/>12/12/12</p>  | <p><b>SHEET</b><br/>1 OF 3</p> |                                      |                                |





**IMPACTS**

NON TIDAL WETLAND IMPACT = ± 4,912 S.F.

NON TIDAL WETLAND BUFFER IMPACT = ± 11,049 S.F.

**R.D. HAND AND ASSOCIATES, INC.**  
 LANDSCAPE ARCHITECTURE, SITE PLANNING AND FEASIBILITY  
 12302 COLLINS ROAD BISHOPVILLE, MD. 21813 410-352-5623

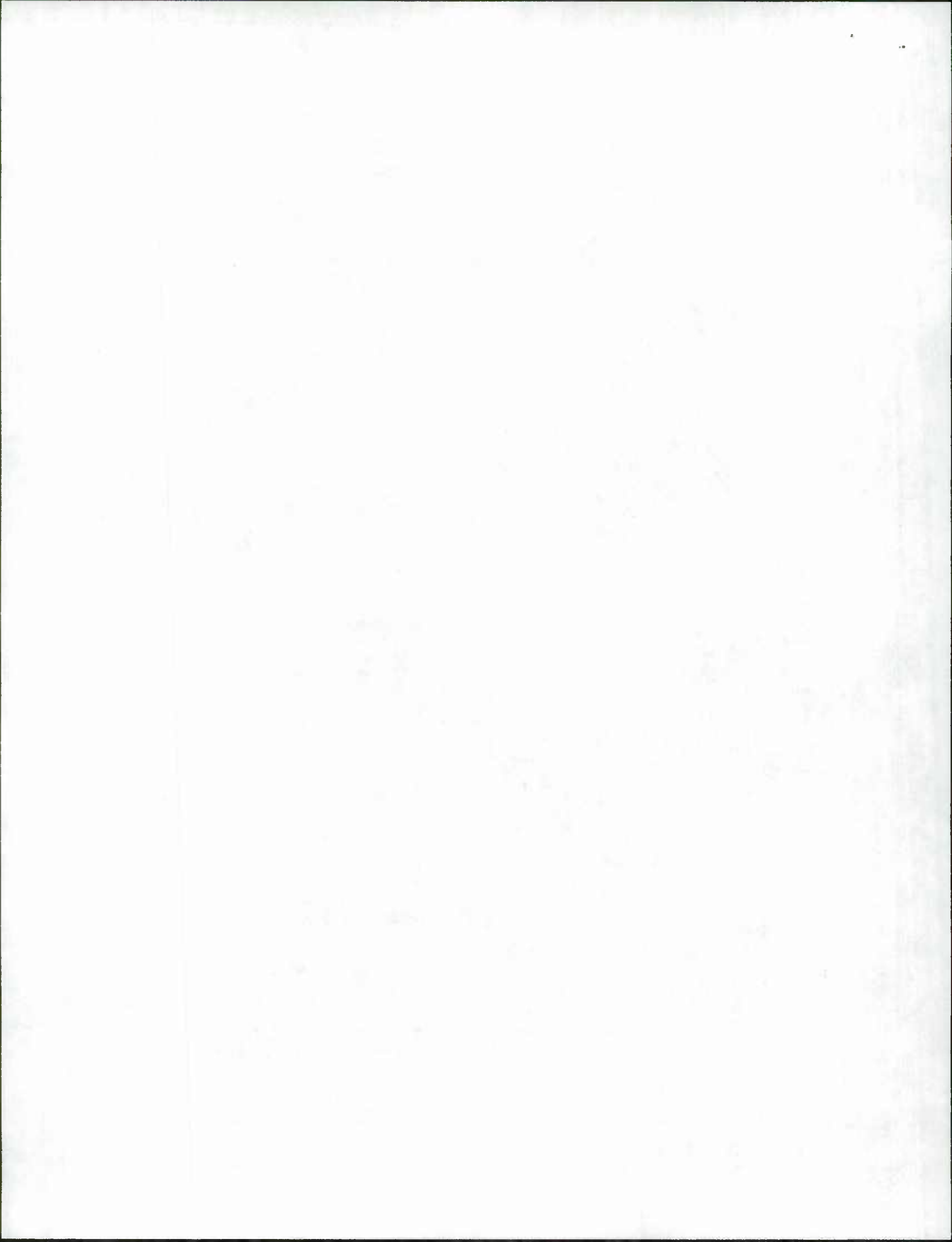
**APPLICANT** BERLIN YDI LLC.  
 2425 N. SALISBURY BLVD.  
 SALISBURY, MD 21801

**KEY MAP / IMPACTS**

**SCALE**  
 NONE

**REV. DATE**  
 12/12/12

**SHEET**  
 2 OF 3



**LEGEND**

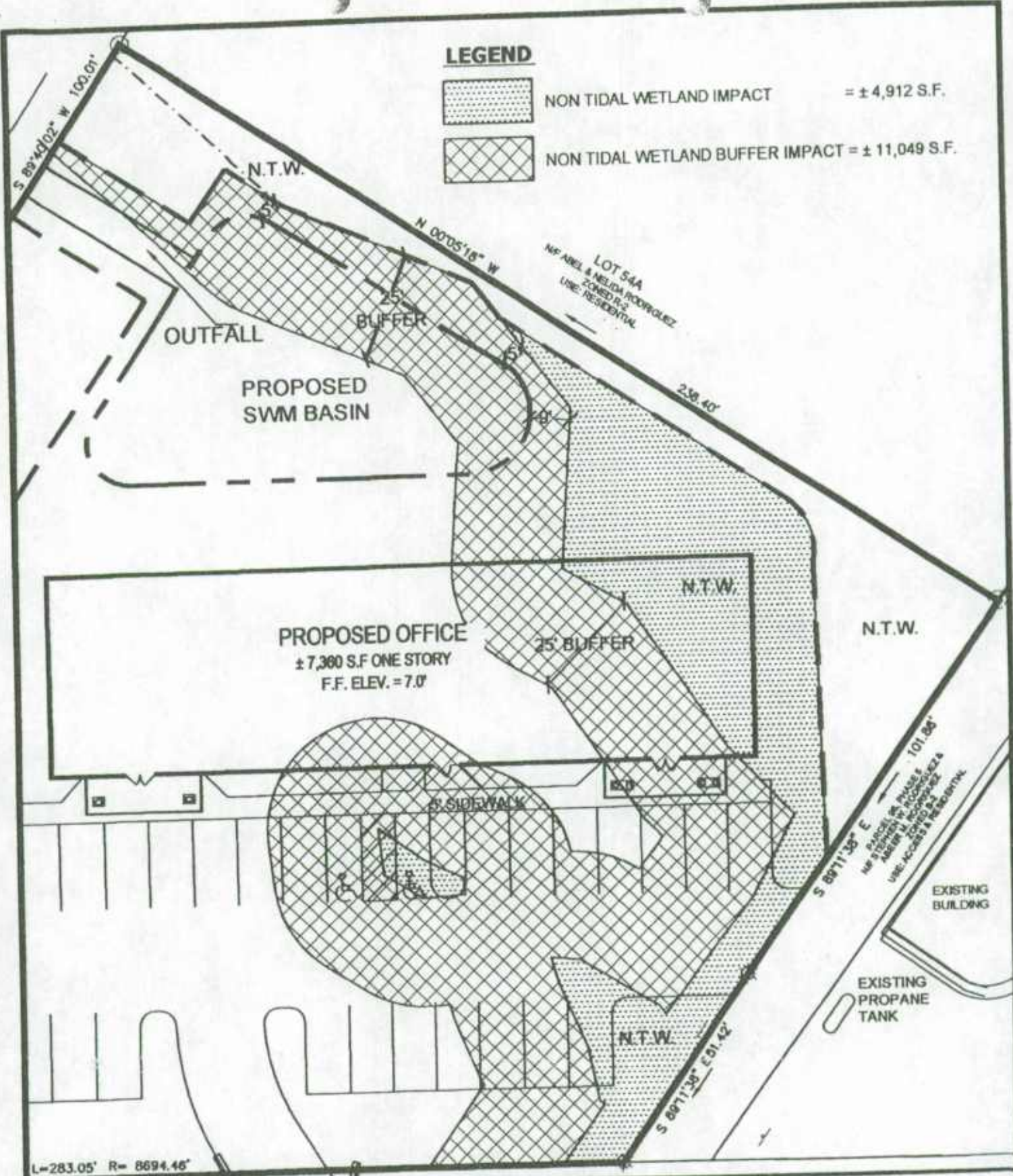


NON TIDAL WETLAND IMPACT

= ± 4,912 S.F.



NON TIDAL WETLAND BUFFER IMPACT = ± 11,049 S.F.



**R<sub>D</sub>. HAND AND ASSOCIATES, INC.**  
 LANDSCAPE ARCHITECTURE, SITE PLANNING AND FEASIBILITY  
 12302 COLLINS ROAD BISHOPVILLE, MD. 21813 410-352-5623

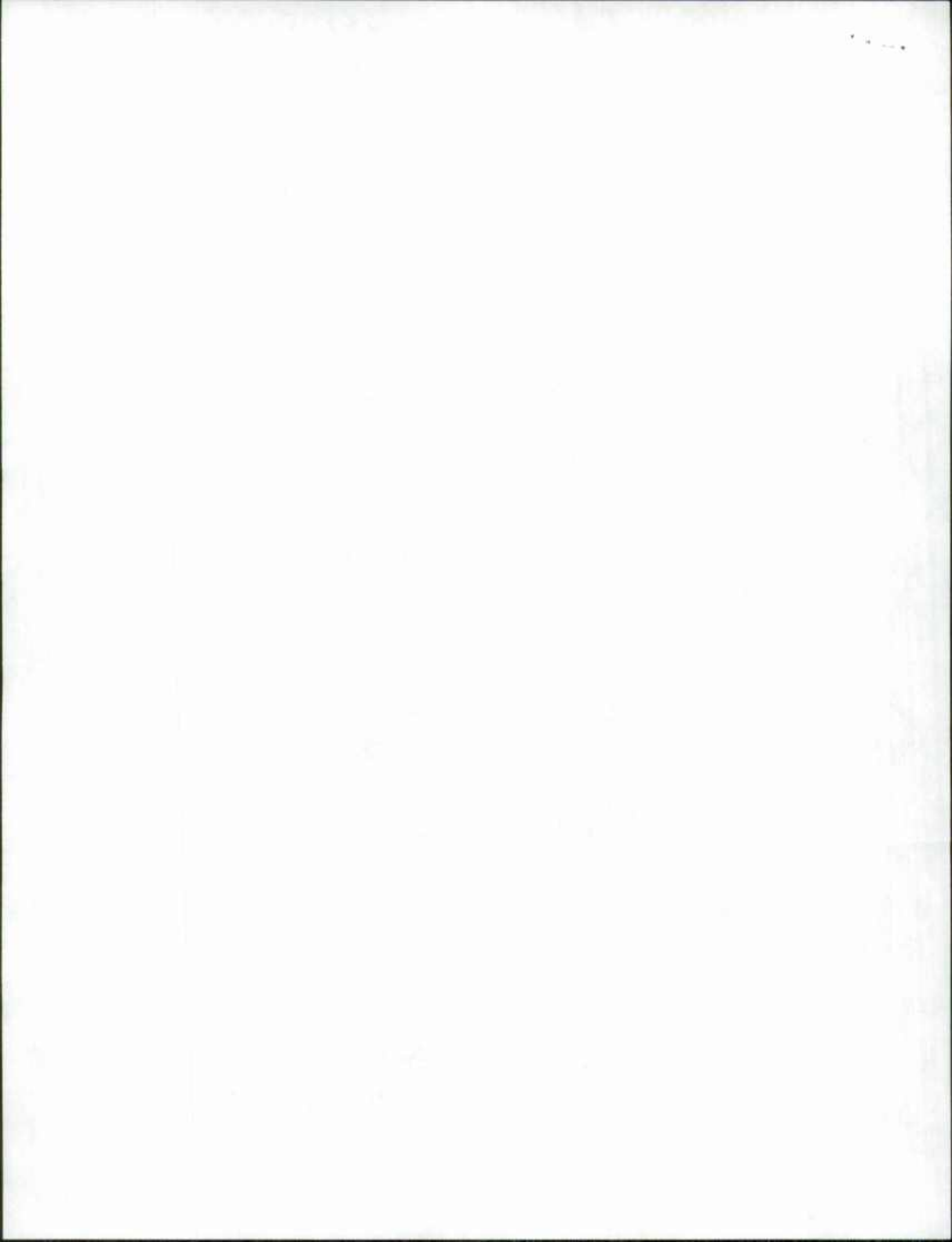
**APPLICANT** BERLIN YDI LLC.  
 2425 N. SALISBURY BLVD.  
 SALISBURY, MD 21801

**IMPACT SHEET**

**SCALE**  
 1"=30'

**REV. DATE**  
 12/12/12

**SHEET**  
 3 OF 3



CC: Bob Hand  
Rita Campbell  
Janet Davis  
Jennifer Burk

STATE OF MARYLAND  
DEPARTMENT OF THE ENVIRONMENT  
WATER MANAGEMENT ADMINISTRATION  
LETTER OF AUTHORIZATION

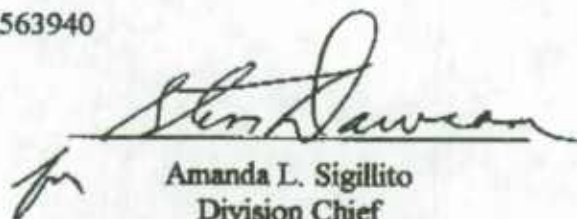


AUTHORIZATION NUMBER: 200861776/08-NT-2072  
EFFECTIVE DATE: September 17, 2008  
EXPIRATION DATE: September 17, 2011  
AUTHORIZED PERSON: West O. C. Properties LLC.  
John H. Burbage, Jr.  
9428 Stephen Decatur Hwy.  
Berlin, MD. 21811

IN ACCORDANCE WITH ENVIRONMENT ARTICLE §5-503(a) AND §5-906(b), ANNOTATED CODE OF MARYLAND (2007 REPLACEMENT VOLUME), COMAR 26.17.04 AND 26.23.01, AND 26.08.02 AND THE ATTACHED CONDITIONS OF AUTHORIZATIONS, West O. C. Properties LLC ("AUTHORIZED PERSON"), IS HEREBY AUTHORIZED BY THE WATER MANAGEMENT ADMINISTRATION ("ADMINISTRATION") TO CONDUCT A REGULATED ACTIVITY IN A NONTIDAL WETLAND, BUFFER, OR EXPANDED BUFFER, AND/OR TO CHANGE THE COURSE, CURRENT OR CROSS-SECTION OF WATERS OF THE STATE, IN ACCORDANCE WITH THE ATTACHED PLANS APPROVED BY THE ADMINISTRATION ON 9/17/08 ("APPROVED PLAN") AND PREPARED BY R.D. Hand and Associates, Inc. AND INCORPORATED HEREIN, AS DESCRIBED BELOW:

To impact 4978 square feet of forested nontidal wetland and 11351 square feet of wetland buffer for the construction of a proposed office building with associated parking, fill and stormwater management facilities, as per the attached site plan. The site is located on U.S. RT. 50, West Ocean City, Worcester County, Maryland.

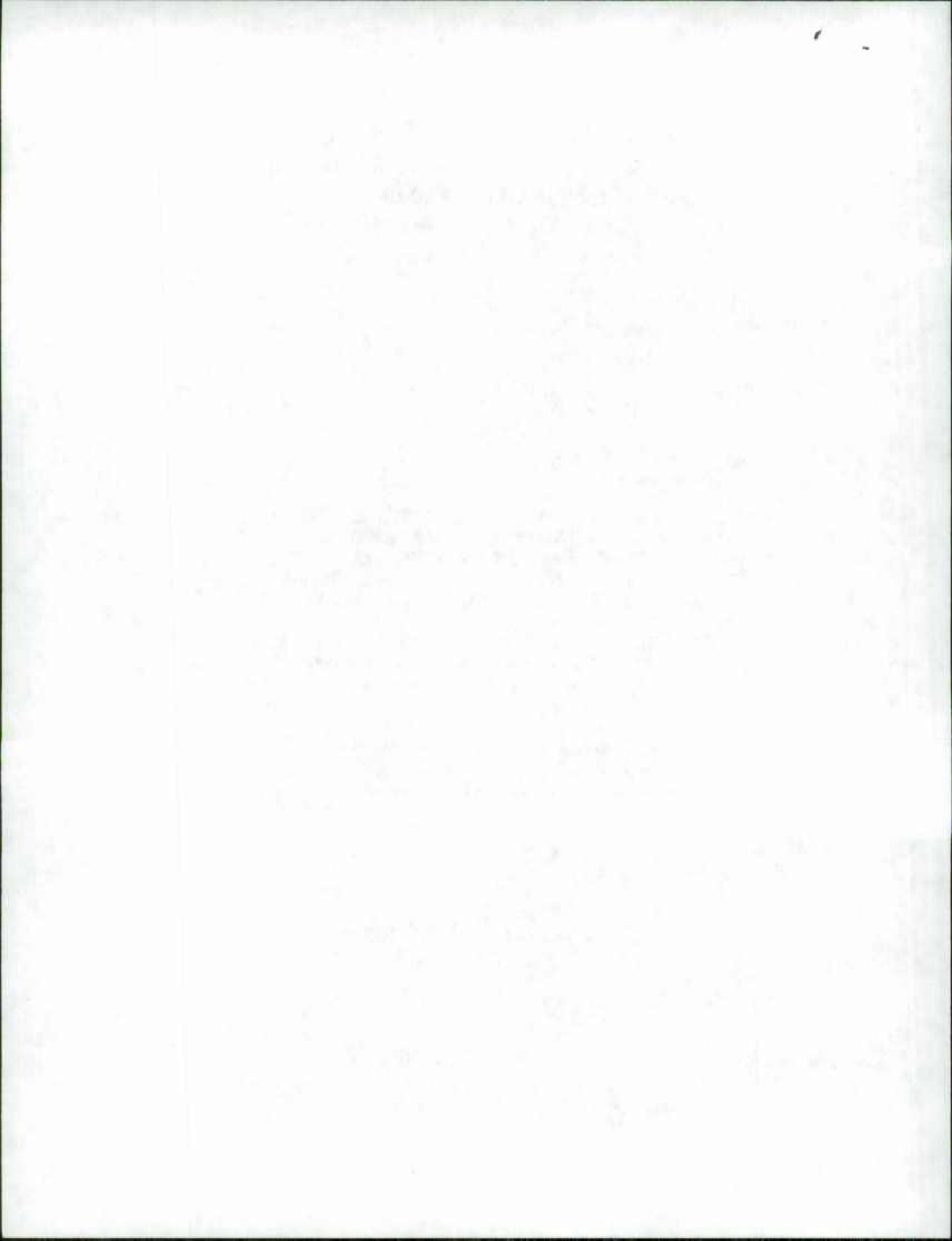
MD Grid Coordinates: N76420 E563940

  
Amanda L. Sigillito  
Division Chief  
Nontidal Wetlands & Waterways Division

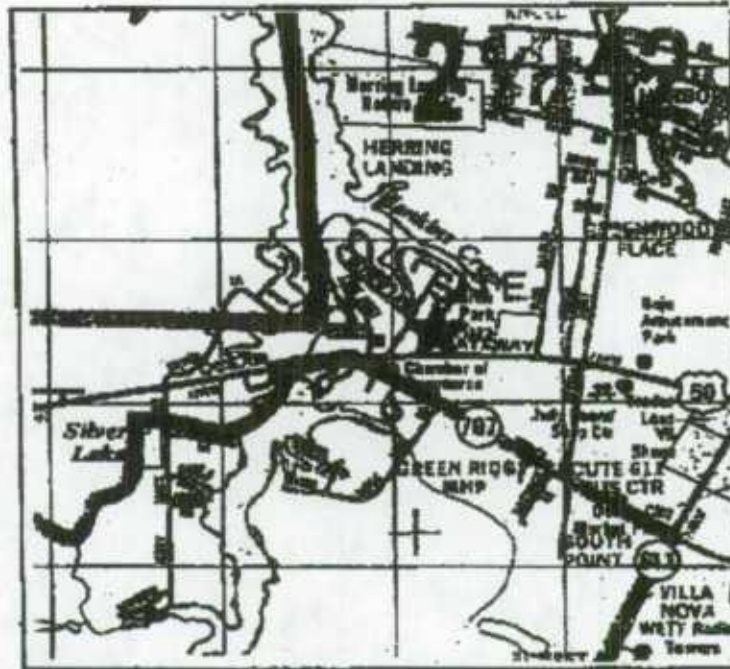
Attachments: Conditions of Authorization

cc: Spencer Rowe - Spencer Rowe, Inc.  
Dave Pushkar - WMA Compliance Program

200864123LAF







**VICINITY MAP**

**SITE DATA**

**PARCEL DESCRIPTION**

TAX MAP 26, PARCEL 302  
 ADJACENT PARCELS  
 WORCESTER COUNTY MARYLAND

**OWNER / DEVELOPER**

WEST O.C. PROPERTIES, L.L.C.  
 9428 STEPHEN DECATUR HWY.  
 BERLIN MD 21811  
 (410) 213 - 1900

**SITE AREA**

± 30,827 S.F.

**PROPOSED USE**

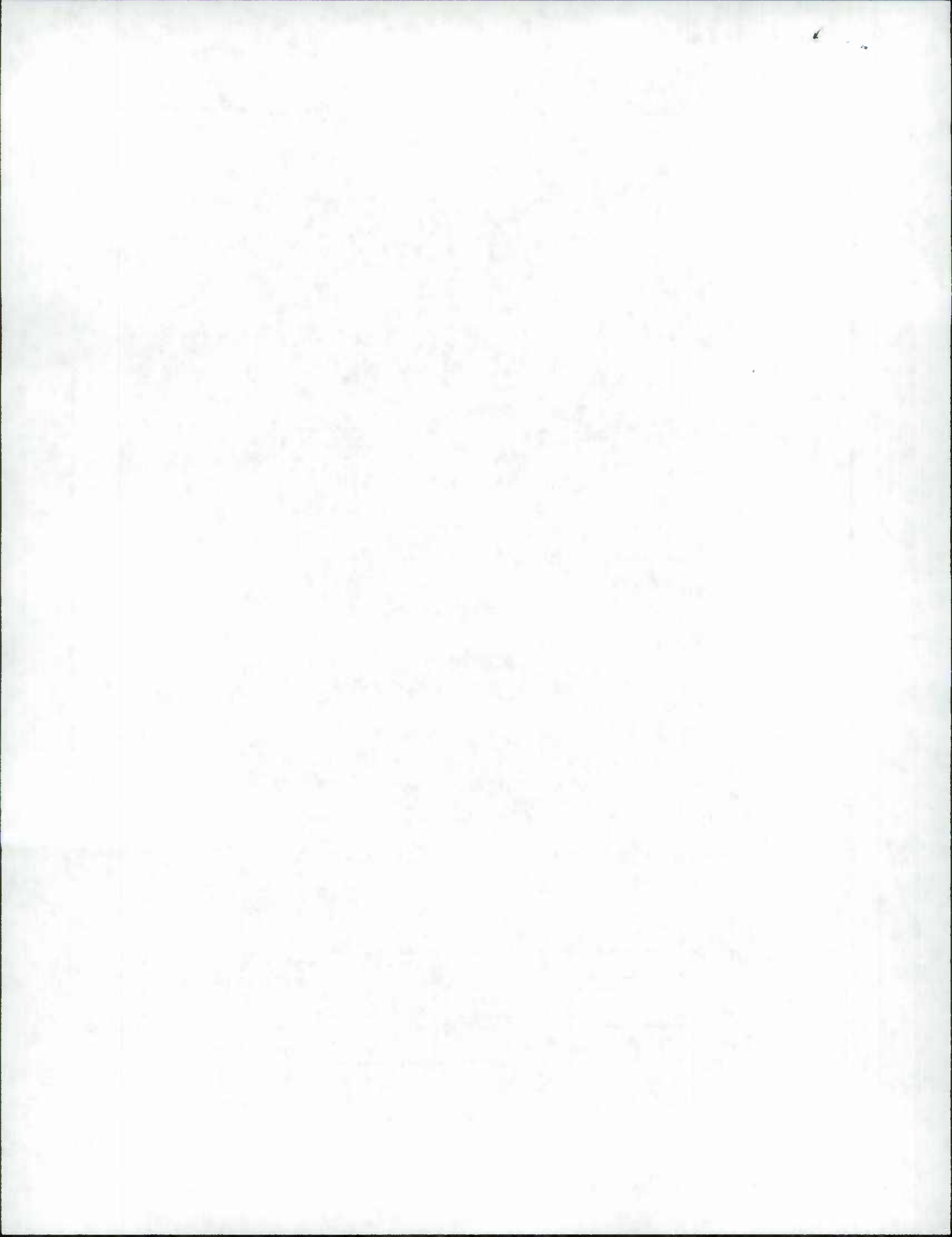
10,000 S.F. OFFICE

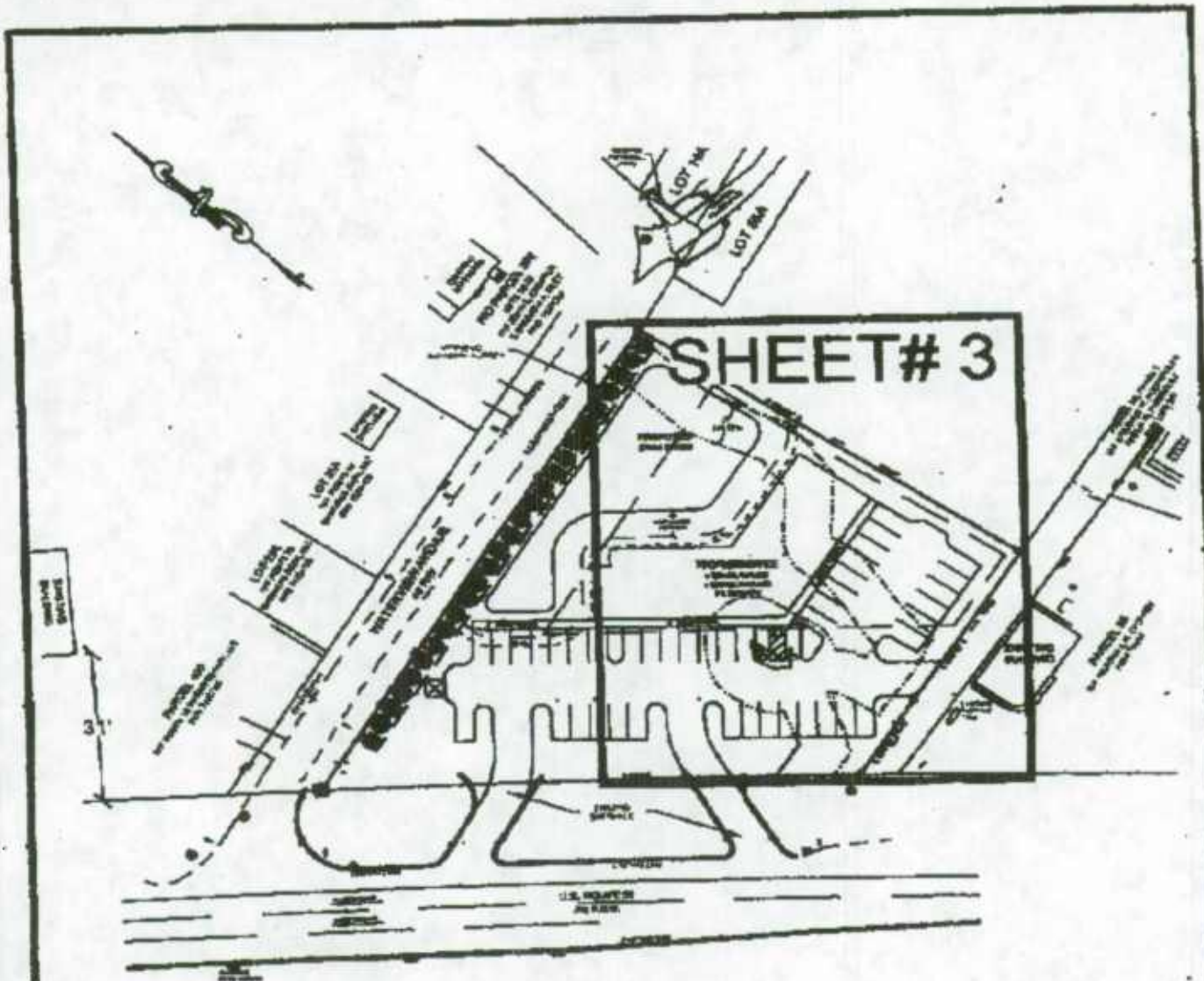
**IMPACTS**

NON TIDAL WETLAND IMPACT = ± 4,945 S.F.  
 NON TIDAL WETLAND BUFFER IMPACT = ± 11,068 S.F.

*approved by: Steve Dawson  
 9/17/08*

|  |   |   |  |
|--|---|---|--|
| <p><b>R.D. HAND AND ASSOCIATES, INC.</b><br/>                 LANDSCAPE ARCHITECTURE, SITE PLANNING AND FEASIBILITY<br/>                 1832 COLLING ROAD BOWENVILLE MD. 21813 410-352-5623</p> | <p>APPLICANT WEST O.C. PROPERTIES, L.L.C.<br/>                 9428 STEPHEN DECATUR HWY.<br/>                 BERLIN MD 21811<br/>                 (410) 213 - 1900</p> |   |  |
| <p><b>VICINITY MAP / SITE DATA</b></p>   | <p>SCALE<br/>                 NONE</p>  | <p>REV. DATE<br/>                 7/21/08</p> | <p>SHEET<br/>                 1 OF 3</p> |



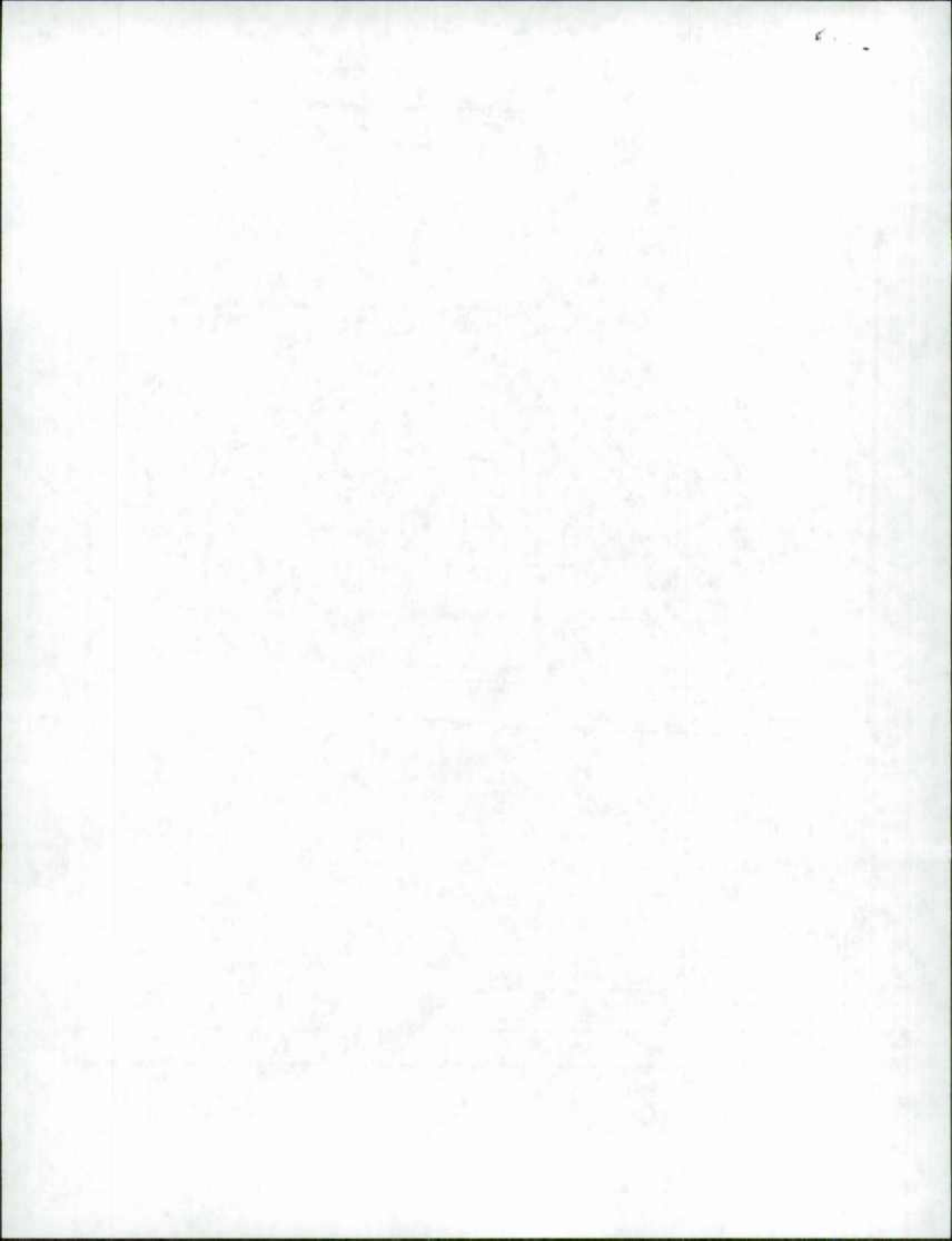


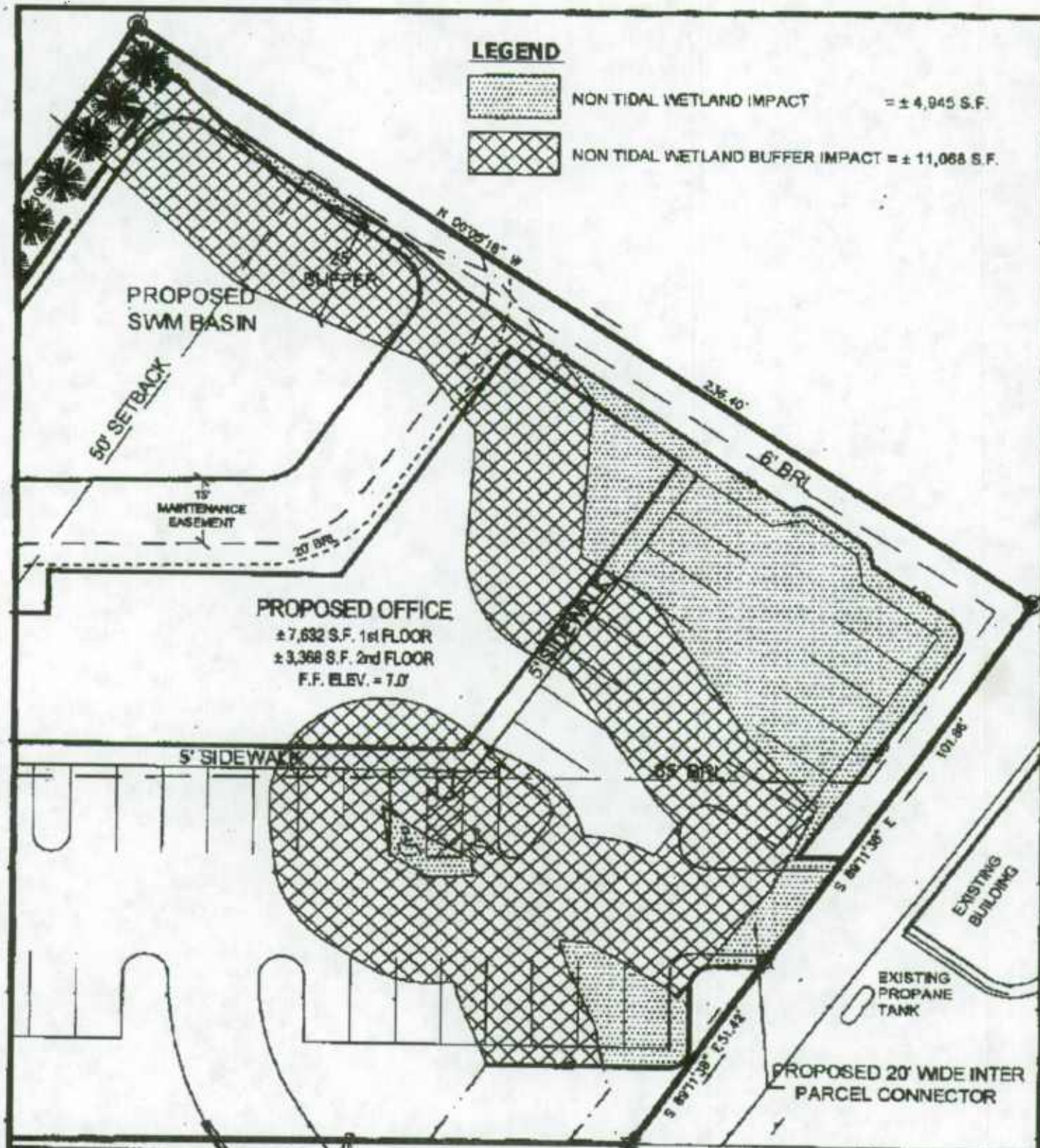
**IMPACTS**

NON TIDAL WETLAND IMPACT = ± 4,945 S.F.

NON TIDAL WETLAND BUFFER IMPACT = ± 11,088 S.F.

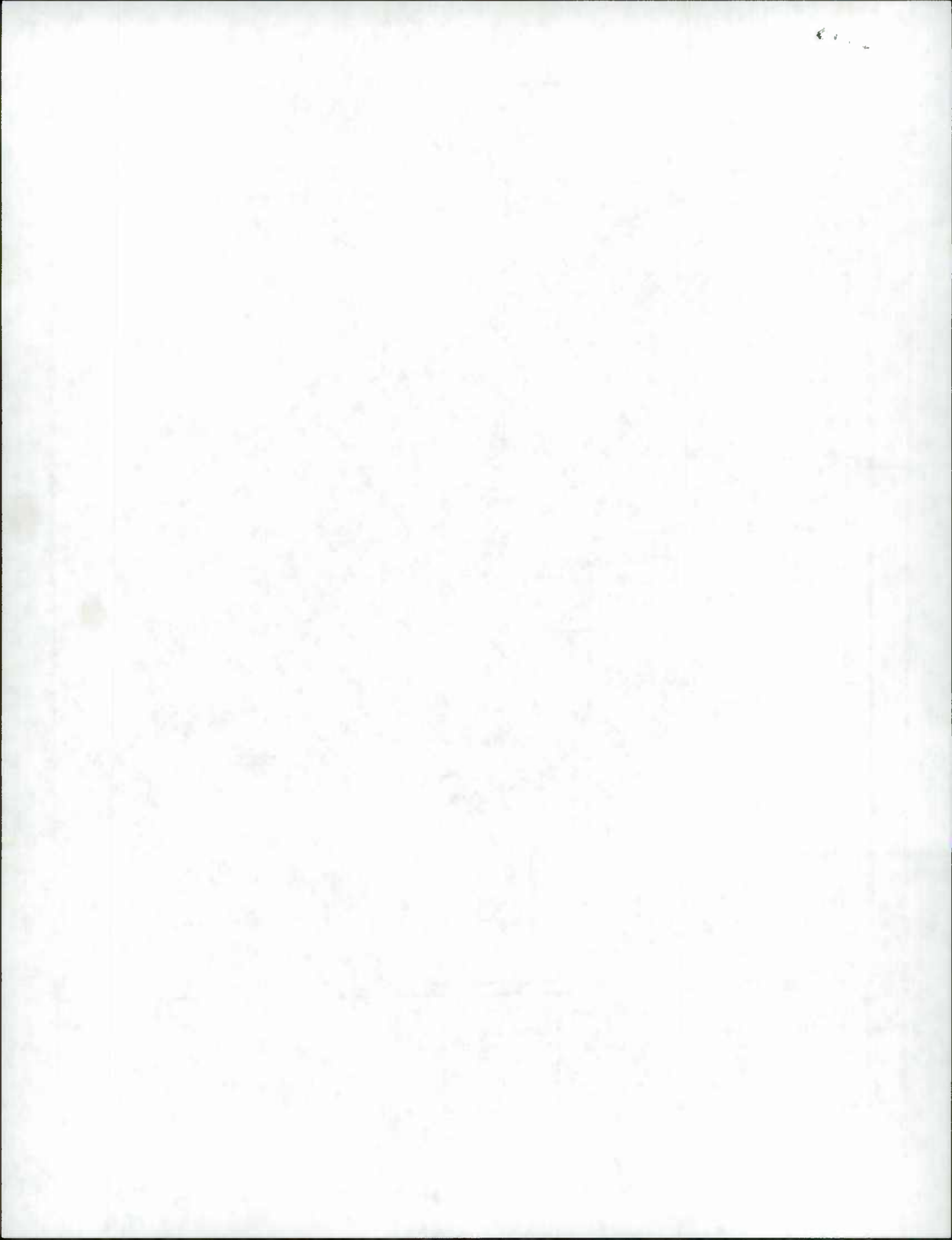
|  |  |   |   |
|--|--|---|---|
| <p><b>R.D. HAND AND ASSOCIATES, INC.</b><br/>                 LANDSCAPE ARCHITECTURE, SITE PLANNING AND FEASIBILITY<br/>                 12302 COLLINS ROAD BETHESDA, MD. 20813 410-352-0623</p> |  | <p>APPLICANT WEST O.C. PROPERTIES, L.L.C.<br/>                 9428 STEPHEN DECATUR HWY.<br/>                 BERLIN MD 21811<br/>                 (410) 213 - 1900</p> |   |
| <p><b>KEY MAP / IMPACTS</b></p>  |  | <p>SCALE<br/>                 NONE</p>  | <p>REV. DATE<br/>                 7/21/08</p> |
|  |  | <p>SHEET<br/>                 2 OF 3</p>  |   |





|  |   |                             |                        |
|--|---|-----------------------------|------------------------|
| <b>RD. HAND AND ASSOCIATES, INC.</b><br>LANDSCAPE ARCHITECTURE, SITE PLANNING AND FEASIBILITY<br>12302 COLLINS ROAD BETHESDA, MD. 20813 410-552-6623 | <b>APPLICANT WEST O.C. PROPERTIES, L.L.C.</b><br>9428 STEPHEN DECATUR HWY.<br>BERLIN MD 21811<br>(410) 213 - 1900 |                             |                        |
|  | <b>SCALE</b><br>1" = 30'  | <b>REV. DATE</b><br>7/21/08 | <b>SHEET</b><br>3 OF 3 |

**IMPACT SHEET**



ATLANTIC COASTAL BAYS CRITICAL AREA REPORT

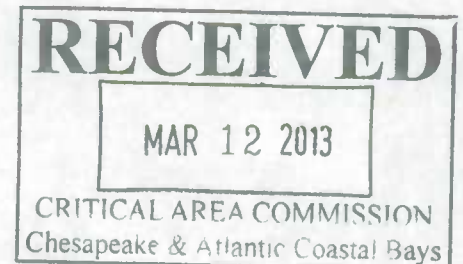
TAX MAP 26 PARCEL 392, LOTS 41- 49 & 50A  
TENTH ELECTION DISTRICT  
WORCESTER COUNTY, MARYLAND

PREPARED FOR  
BURBAGE PROPERTIES INC.  
9428 Stephen Decatur Hwy.  
Berlin, MD 21811  
410-214-1900

APPLICANT / DEVELOPER  
BERLIN YDI L.L.C.  
2425 N. Salisbury Blvd.  
Salisbury, MD 21801

PREPARED BY  
R.D. HAND AND ASSOCIATES, INC.  
12302 Collins Rd.  
Bishopville, MD 21813  
410-352-5623

Jan. 11, 2013  
Rev. Feb. 26, 2013



RECEIVED  
MAY 11 1917  
U. S. DEPARTMENT OF AGRICULTURE  
WASHINGTON, D. C.



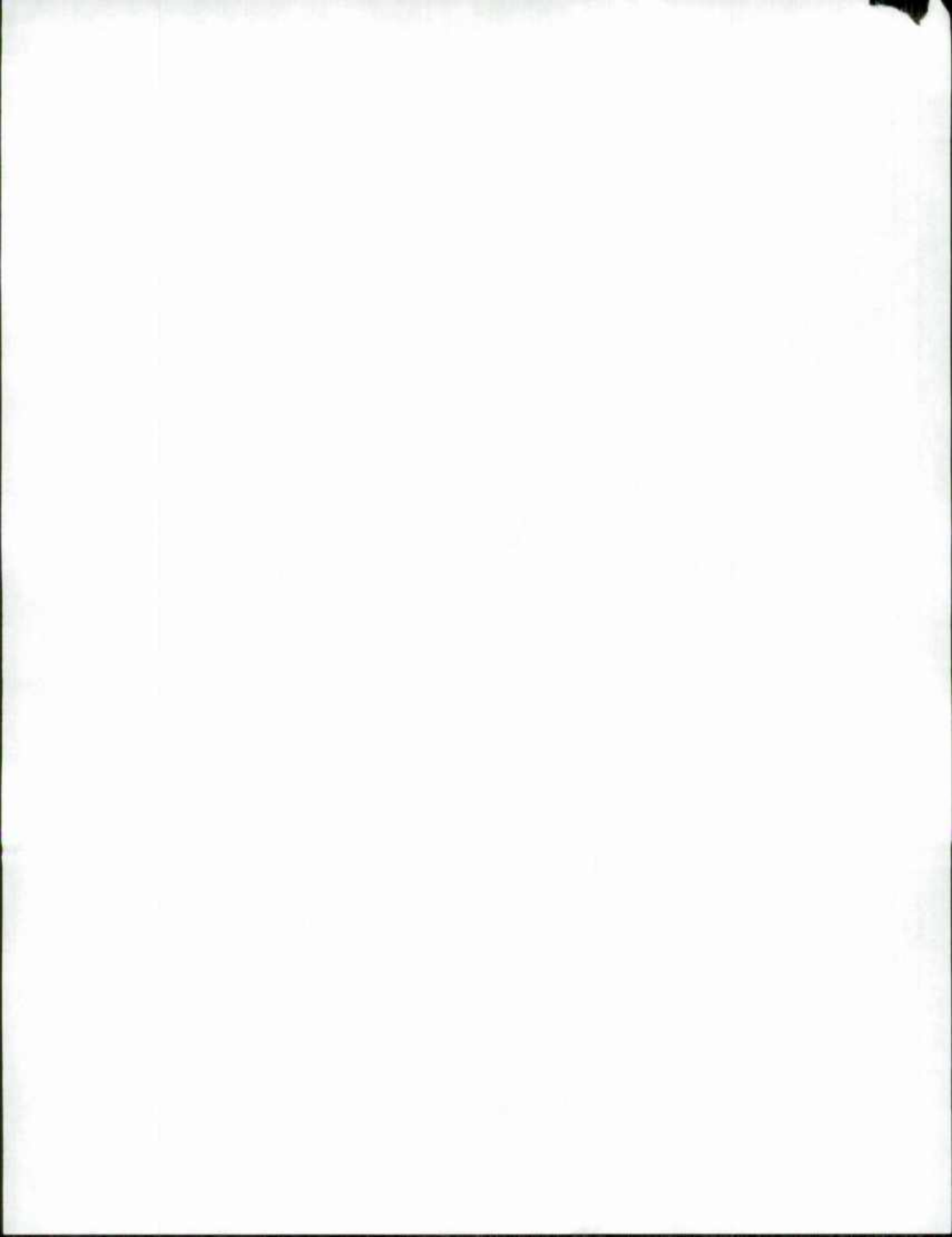
## INTRODUCTION

The proposed development of Parcel 392, tax map 26 consists of the construction of a one story office building and associated parking. The total site area is 1.25 acres in the intensely developed area designation of the Atlantic Coastal Bays Critical Area.

The site is relatively flat with drainage from the south to the north. Currently there are no stormwater facilities that serve the site. The existing forest cover onsite consist of a mature forest to the north consisting of Red Maple, Sweet Gum and Loblolly Pine. The area on the south is a pioneer Loblolly forest about 10 years old. The existing forest area is 0.73 Acres or 58% of the site.

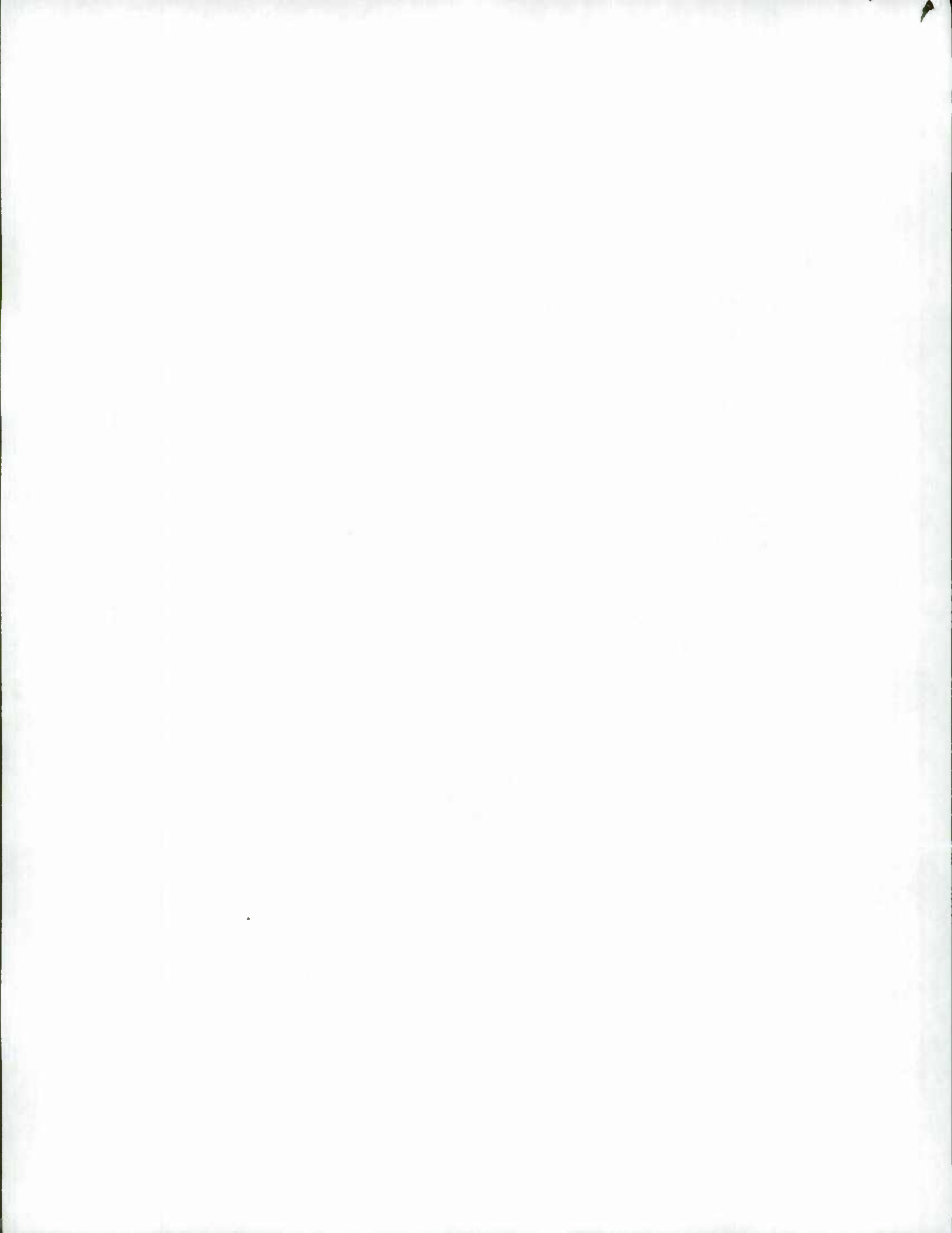
Proposed coverage within the critical area is 0.55 acres or 44% of the site. Woodstown and Falisington soils are found onsite within the critical area. The Maryland Department of Natural Resources has issued a permit to impact 4912 s.f. of nontidal wetland and 11,049 s.f. of buffer for this site. As required by the Atlantic Coastal Bays Critical Area law, the owner has paid into the mitigation fund for the wetlands impacts. Upon completion of the development 18.24% of the site will be forested through retained existing forest.

The project's stormwater management was approved by the local authority on February 21<sup>st</sup> 2013. Due to the site having group D soils and a high water table, it was determined the best measure which can be implemented is to carry runoff though grass swales prior to entry into a wet micro-pool. The approving authority agreed that environmental site design has been implemented to the maximum extent practicable.



Compliance with 10% /ESD requirements cannot be met due to site constraints. Therefore compliance will be via planting offsets onsite. To meet 10% reduction compliance one half acre of plantings for each pound of phosphorus will be utilized. The site needs 0.55 pounds of additional phosphorus removal. This equates to 11,979 s.f. of offset planting. The project proposes 12,000 s.f. of plantings.

Correspondence to DNR, Natural Heritage has been provided to the department and is attached.



## Hurley, Roby

---

**From:** Hurley, Roby  
**Sent:** Thursday, March 28, 2013 12:40 PM  
**To:** 'Bob Hand'; 'Katherine Munson'; 'David Bradford'  
**Cc:** 'Frank Lynch'  
**Subject:** RE: Your Docs In

CORRECTION: I am OK if Worcester elects to allow usage of Worksheet A, as submitted Jan. 11, 2013 as part of Atlantic Coastal Bays Critical Area Report, prepared by R.D. Hand and Associates, Inc.

Roby Hurley  
Natural Resources Planner  
Critical Area Commission  
1804 West St. S-100  
Annapolis, MD 21401  
410/260-3468  
443/534-3665 (cell)  
FAX 410/974-5338

---

**From:** Hurley, Roby  
**Sent:** Thursday, March 28, 2013 12:20 PM  
**To:** 'Bob Hand'; Katherine Munson; David Bradford  
**Cc:** Frank Lynch  
**Subject:** RE: Your Docs In

All, I am OK if Worcester elects to allow usage of Version 2.2 because our review file goes back at least to 2010, and in fact goes back to 2006.

Bob and Frank please do not forget to send all comments on 3.1. You can remove project names or wait until we sign off on this one. Thanks.

Roby Hurley  
Natural Resources Planner  
Critical Area Commission  
1804 West St. S-100  
Annapolis, MD 21401  
410/260-3468  
443/534-3665 (cell)  
FAX 410/974-5338

---

**From:** Bob Hand [mailto:bob@rdhand.com]  
**Sent:** Thursday, March 28, 2013 10:55 AM  
**To:** Hurley, Roby; Katherine Munson; David Bradford  
**Cc:** Frank Lynch  
**Subject:** Your Docs In

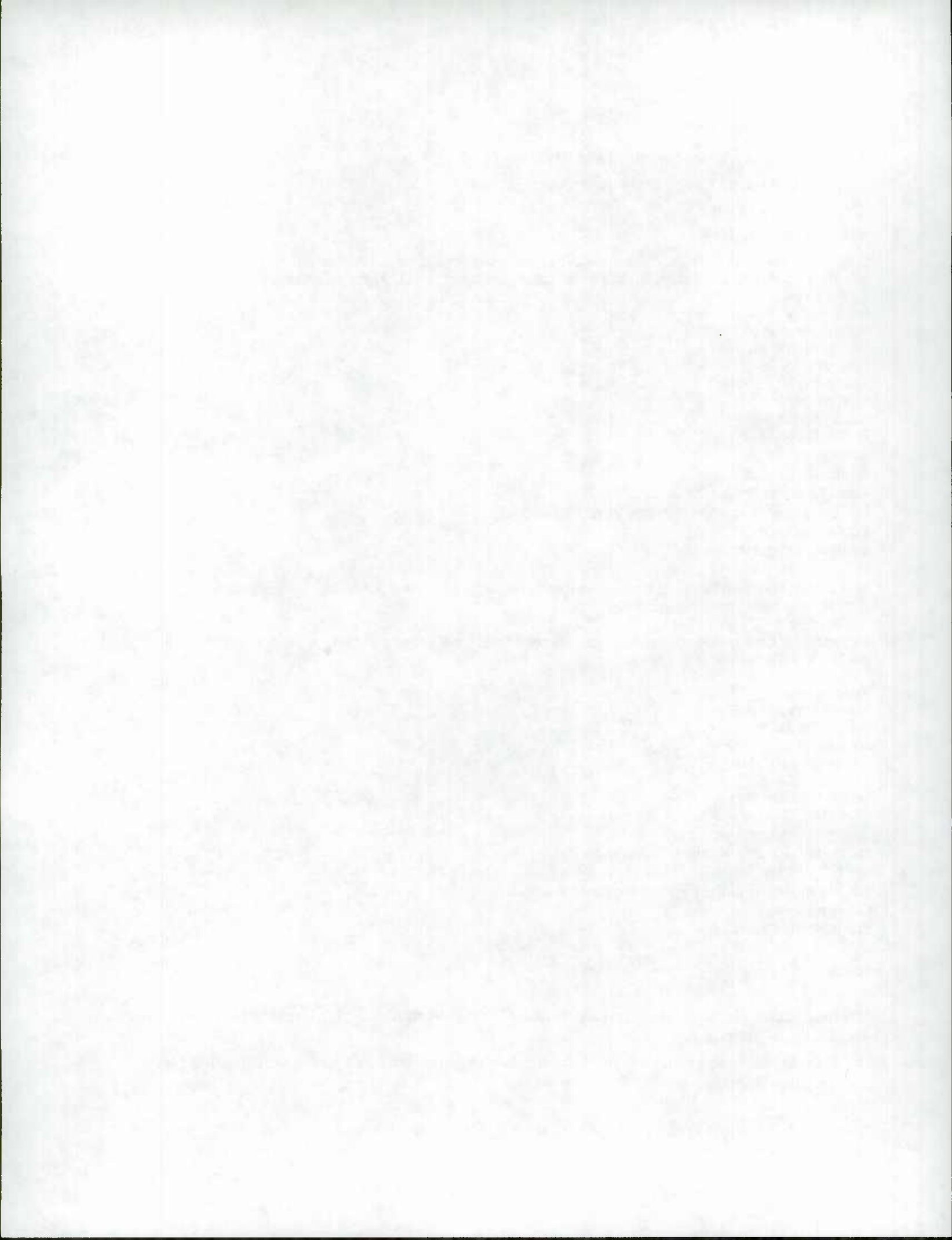
To all

Attached are the 10% worksheets. I am not sure what the problem is. We imported identical data on both spreadsheets.

The older version shows that we meet the removal requirements. The newer version shows we are .4 pounds deficient.

Please advise. I would like to proceed with the project as soon as possible

3/28/2013



563-08

From: Katherine Munson [kmunson@co.worcester.md.us]  
Sent: Friday, March 08, 2013 11:42 AM  
To: Hurley, Roby  
Cc: David M. Bradford  
Subject: offsets--Your Doc's In Project

- Confirm D. 5013. on site
- 56 Wetland, - Wawa
- Planter boxes; QA spec (see Edger)
- Offsets - Not programed.
- Bio Swales w/ ck dams downsize Mi. Pool
- Linear Bio Retention
- Soil Restor - Ches SW Network.

barly ment  
criticize  
doc not meet

Hi Roby

The project that you recently reviewed, Your Doc's In, TM 26, Parcel 392, may require an offset to meet the 10% rule. How do we evaluate this claim by the applicant that they are unable to meet the 10% rule on-site? The applicant has submitted a stormwater plan since your review. I have attached the ESD spreadsheet they submitted (which I think is not the most recent spreadsheet that is to be used??).

I see in Section 6.0 of the 10% Rule Guidance a list of physical factors to be considered and it states the applicant must supply supporting documentation along with their offset proposal.

Apparently we have allowed it at least once before--there was an offsite reforestation of a little under one acre completed as an offset for Shore point Business Center. Tax Map 26, Parcel 424, Lots 1,2 and 3. It was approved in July of 2006.

WC 394-05 Chris C. off site used to offset 1.64 # det.

Thank you!

Katherine

Katherine Munson  
Planner, Natural Resources Division  
Department of Development Review and Permitting  
1 West Market St, Suite 1201  
Worcester County Government Center  
Snow Hill, MD 21863

[kmunson@co.worcester.md.us](mailto:kmunson@co.worcester.md.us)  
410-632-1200 ext 1302

<http://www.co.worcester.md.us/>

Bobby Shockley - reviewed

Other issues  
NTW - variance  
Planting trees in faces  
Merged Quant of Qual.

NR 3-106  
(c)(4)

offsets permitted. WQ bene are equiv, same WS, + benefits can be better. as req'd in 10% Rule Guidance.

3/20/13

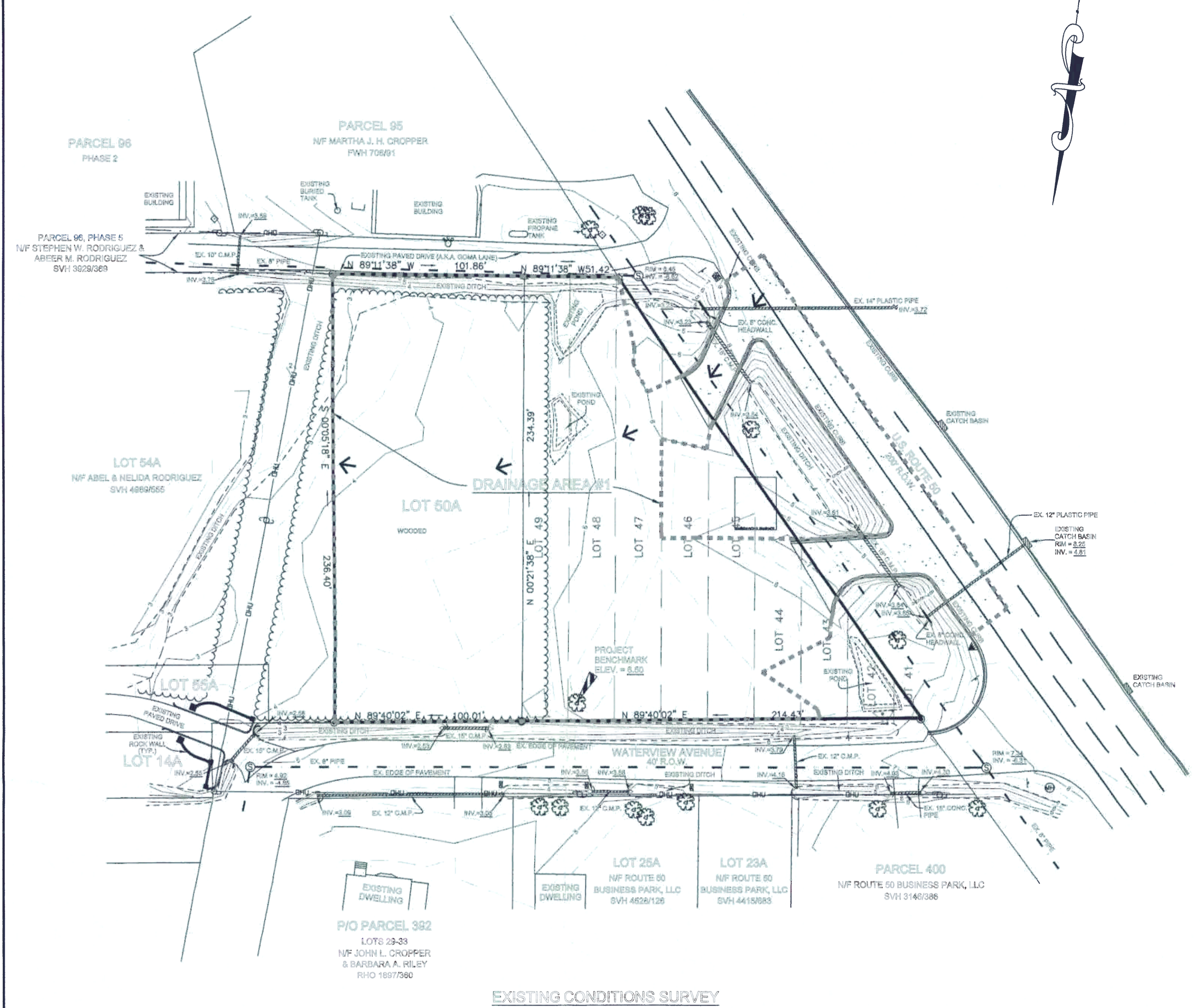
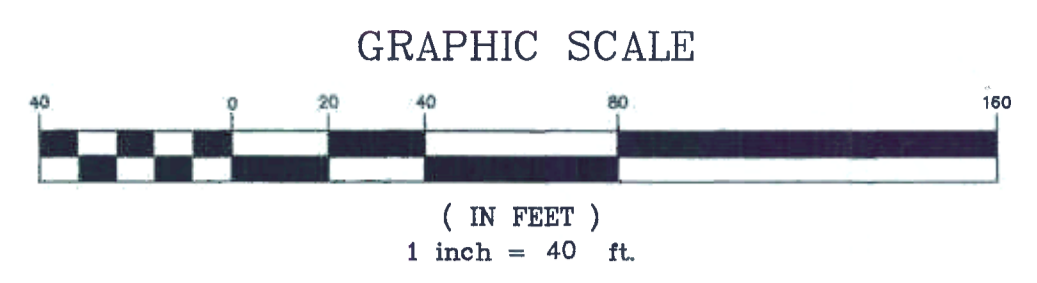
PC w/ KM.  
Comments  
fix step 9  
delete Grasswate unless treating road  
options - F1L or 1ac = 2# P  
Riparian forest.



RECEIVED

LIBRARY OF CONGRESS  
505 2nd Street NE  
Washington, DC 20540





EXISTING CONDITIONS SURVEY

**LOT COVERAGE SUMMARY**

|                               |                   |
|-------------------------------|-------------------|
| PAVEMENT WITHIN RTE. 50 RW    | 0.19 ACRES        |
| MEADOW GOOD CONDITION         | 0.88 ACRES        |
| <b>TOTAL DRAINAGE AREA #1</b> | <b>1.07 ACRES</b> |

**FLOW PATH DATA**

|                                 |
|---------------------------------|
| 70 L.F. PAVT S. = 0.02 FT/FT    |
| 30 L.F. GRASS S. = 0.04 FT/FT   |
| 170 L.F. GRASS S. = 0.009 FT/FT |

→ PRE DEV. FLOW DIRECTION

**LOTS 41-49**  
 EX. ZONING: C-2  
 LOT AREA: 30,827 S.F. & CR 0.7077 AC &  
 OWNER: BURBAGE PROPERTIES, INC.  
 DEED REF.: SVH 3463/222

**LOTS 50A**  
 EX. ZONING: C-2  
 LOT AREA: 23,786 S.F. & CR 0.5454 AC &  
 OWNER: BURBAGE PROPERTIES, INC.  
 DEED REF.: SVH 384/95

(B.F.E. 6.0)  
 FLOOD ZONE: A7 PER FIRM  
 NO. 240083 0106 D  
 DATED APRIL 21, 1999  
 TAX MAP 26 - P/O PARCEL 392

ELEVATIONS AS SHOWN HEREON ARE BASED  
 IN M.G.V.D. 1929 DATUM AS REFERENCED TO  
 BENCHMARK 12 WID, ELEVATION 12.81.

MIN. ACCURACY = ±0.1'

- DENOTES IRON PIPE FOUND
- DENOTES IRON ROD FOUND
- ★ DENOTES IRON ROD SET
- ⊙ DENOTES EXISTING SIGN
- ⊕ DENOTES EXISTING ELECTRIC
- ⊖ DENOTES EXISTING SEWER MANHOLE
- ⊗ DENOTES EXISTING UTILITY POLE
- ⊘ DENOTES EXISTING UTILITY MANHOLE
- ⊙ DENOTES EXISTING MAILBOX
- OH- DENOTES EXISTING OVERHEAD UTILITIES
- ⊕ DENOTES EXISTING STREET LIGHT
- ⊖ DENOTES EXISTING SEWER CLEANOUT
- ⊙ DENOTES EXISTING TREE
- ⊘ DENOTES EXISTING WOODS LINE

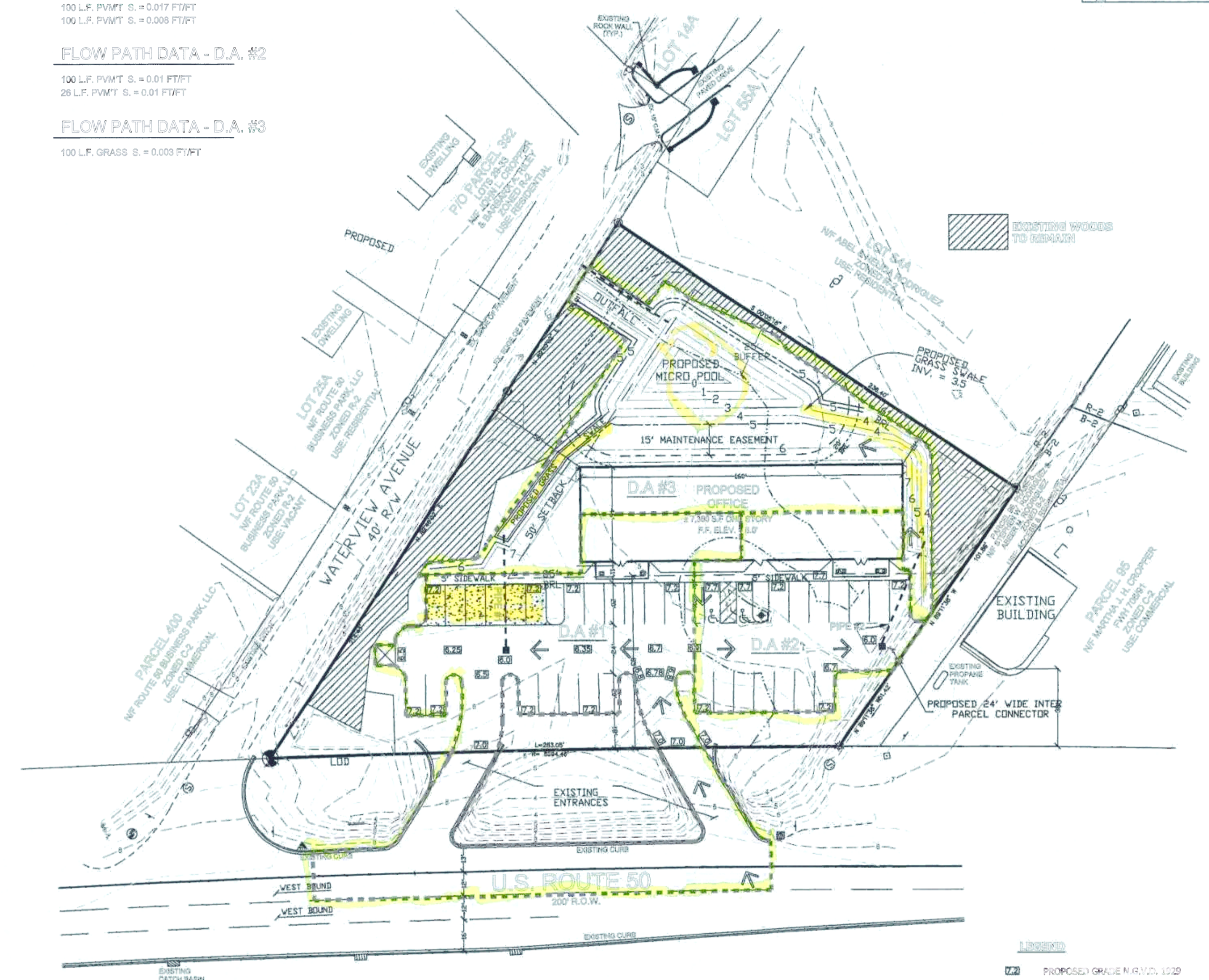
**LOT COVERAGE SUMMARY**

| LOT COVERAGE               | D.A. #1            | D.A. #2            | D.A. #3           |
|----------------------------|--------------------|--------------------|-------------------|
| PAVEMENT WITHIN RTE. 50 RW | 0.19 ACRES         |                    |                   |
| PAVEMENT WITHIN SITE       | 0.02 ACRES         | 0.14 ACRES         |                   |
| GRASS WITHIN SITE          | 0.003 ACRES        | 0.013 ACRES        | 0.188 ACRES       |
| BLDG. & WALKS WITHIN SITE  | 0.002 ACRES        | 0.008 ACRES        | 0.084 ACRES       |
| MICRO POOL                 |                    |                    | 0.12 ACRES        |
| <b>TOTAL</b>               | <b>0.276 ACRES</b> | <b>0.208 ACRES</b> | <b>0.99 ACRES</b> |

**FLOW PATH DATA - D.A. #1**  
 100 L.F. PAVT S. = 0.017 FT/FT  
 100 L.F. PAVT S. = 0.008 FT/FT

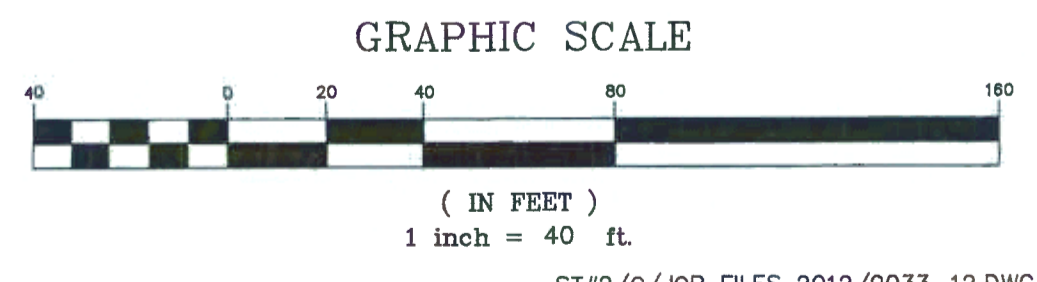
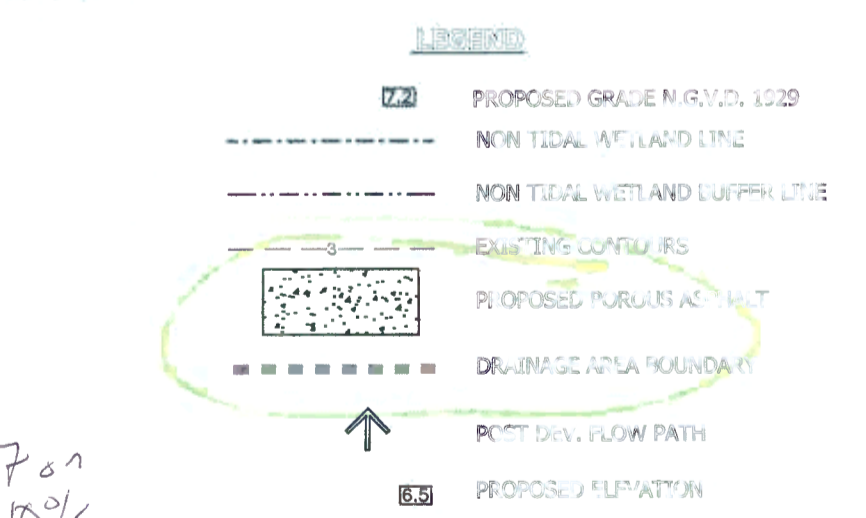
**FLOW PATH DATA - D.A. #2**  
 100 L.F. PAVT S. = 0.01 FT/FT  
 28 L.F. PAVT S. = 0.01 FT/FT

**FLOW PATH DATA - D.A. #3**  
 100 L.F. GRASS S. = 0.003 FT/FT



**PROPOSED SITE PLAN**

- PROJECT AREA = 1.25 ACRES
- DISTURBED AREA = 0.96 ACRES
- SOILS : WOODSTOWN (WdB) - GROUP D
- SITE IS LOCATED WITHIN THE ATLANTIC COASTAL BAYS CRITICAL AREA AND IS DESIGNATED AS INTENSIVELY DEVELOPED AREA (IDA).
- PROPOSED USES : FOREST TO BE RETAINED = 0.22 ACRES  
 PROPOSED IMPERVIOUS AREA = 0.553 ACRES  
 PROPOSED MICRO POOL = 0.1 ACRES  
 PROPOSED LANDSCAPING/GRASS = 0.377 ACRES  
 TOTAL = 1.25 ACRES
- OWNER : CHESAPEAKE MEDICAL SOLUTIONS, P.A. (BERUN YDI LLC.)  
 2425 N. SALISBURY BLVD.  
 SALISBURY, MARYLAND 21801  
 PH. : 410-251-1190



**ATLANTIC COASTAL BAYS CRITICAL AREA LAW STATEMENT**  
 This property lies within the Worcester County Atlantic Coastal Bays Critical Area, and any and all proposed development activity must meet the requirements of Title 9 (land and water resources), Subtitle 1 (Atlantic Coastal Bays Critical Area) of the Worcester County Code of Public Local Laws, as from time to time amended, in effect at the time of the proposed development activity.

THE INFORMATION CONTAINED ON THESE PLANS, PLATS OR OTHER DOCUMENTS IS PROVIDED FOR THE EXCLUSIVE USE OF THE CLIENT NAMED HEREON, AND IS SUBJECT TO THE CLIENT AND/OR WORK PRODUCT PRIVILEGE. ANY AMENDMENTS, COPYING OR DISTRIBUTION, INCLUDING COMPUTER GENERATED AMENDMENTS, IS STRICTLY PROHIBITED UNLESS AUTHORIZED IN WRITING BY FRANK G. LYNCH JR. AND ASSOCIATES, INC.

| # | REVISION                           | DATE        | CHKD |
|---|------------------------------------|-------------|------|
| 1 | RECEIVED                           | MAR 12 2013 |      |
| 2 | CRITICAL AREA COMMISSION           |             |      |
| 3 | Chesapeake & Atlantic Coastal Bays |             |      |

PROJECT: LOTS 41 THRU 49, and LOT 50A  
 CHARLES LEWIS SUBDIVISION  
 TENTH TAX DISTRICT, WORCESTER COUNTY, MARYLAND  
 TAX MAP 26 - P/O PARCEL 392

TITLE: DRAINAGE AREA PLAN SHEET

PROFESSIONAL SEAL

**Frank G. Lynch, Jr.**  
 & Associates, Inc.  
 SURVEYING · LAND PLANNING  
 10535 RACETRACK ROAD · BERLIN, MARYLAND 21811  
 (410) 641-5353 · 641-5773

|                            |                         |                   |
|----------------------------|-------------------------|-------------------|
| DESIGNED BY: N/A           | SURVEYED BY: DT/RT/FGL3 | FILE NO.: 9033-12 |
| DRAWN BY: F.G.L. JR.       | DATE: 2-20-2013         | SHEET 5 OF 5      |
| CHECKED BY: FRANK G. LYNCH | SCALE: 1"=40'           |                   |

**LANDSCAPE SPECIFICATIONS**

**GENERAL**

A. THE SCOPE OF WORK WITHOUT LIMITING THE GENERALITY THEREOF, CONSISTS OF FURNISHING ALL LABOR, EQUIPMENT AND MATERIALS, AND PERFORMING ALL OPERATIONS NECESSARY TO COMPLETE LANDSCAPE WORK FOR PROJECT SITE AS SHOWN THESE PLANS AND SPECIFICATIONS.

**STANDARDS**

A. **INSPECTION AND APPROVAL** - MISCELLANEOUS MATERIALS DESCRIBED AND SPECIFIED HEREIN ARE SUBJECT TO THE APPROVAL OF THE OWNER. THIS INSPECTION DOES NOT WAIVE THE RIGHT TO REJECT MATERIAL AFTER IT HAS BEEN DELIVERED ON SITE.

**B. MISCELLANEOUS MATERIALS**

1. **TOPSOIL** SHALL BE EITHER SANDY LOAM OR LOAMY SAND AND FREE OF SUBSOIL, CLAY, SANDS, STONES, LUMPS, TRASH OR ANY OTHER EXTRANEOUS MATTER LARGER THAN 1/2" IN DIAMETER AS WELL AS PLANTS OR PARTS OF PLANTS OR GRASSES.

2. **BACKFILL MIX** FOR PLANTING PITS SHALL BE 20% TOPSOIL AND 10% ORGANIC MATTER.

3. **ORGANIC MATTER** SHALL BE PEAT MOSS (TYPE 1 SPAGNUM PEAT MOSS, FINELY DIVIDED WITH A PH OF 3.1 TO 5.0) OR LEAF COMPOST (THOROUGHLY SHREDDED, COMPOSTED, AND SCREENED LEAF MATERIAL FREE FROM TRASH).

4. **MULCH** SHALL BE COMPOSTED, WELL-SHREDDED HARDWOOD MULCH; A PRODUCT OF MAJOR TREES, LIMBS OR STUMPS AND OF UNIFORM CONSISTENCY AND DARK BROWN IN COLOR. MULCH SHALL BE FREE OF LARGE CHUNKS, TWIGGS AND LEAVES.

5. **QUIVING CABLE** SHALL BE FIVE-STRAND, 3/16" DIAMETER STEEL CABLE.

6. **HOSE** TO ENCASE WIRE OR CABLE FOR FASTENING STAKES AND GUYS TO TREES SHALL BE NEW 2 PLY 1/2" DIAMETER REINFORCED GARDEN HOSE. "PLASTIC LOCK TIES" OR EQUAL MAY BE USED IN PLACE OF WIRE AND HOSE ON TREES UP TO 2 1/2" IN CALIPER.

7. **STAKES** SHALL BE SOUND WOOD 2" X 2" ROUND SAWN OAK OR SIMILAR DURABLE WOOD, OF LENGTHS 8'-0" FOR MAJOR TREES AND 6'-0" FOR MINOR TREES.

8. **WIRE** FOR FASTENING TREES TO STAKES SHALL BE GALVANIZED NO. 14 GAUGE WIRE.

9. **WRAPPING MATERIAL** FOR TREE TRUNKS SHALL BE HEAVY CRINKLE CREPE TREE WRAPPING PAPER IN STRIPS 2 1/2" TO 10" WIDE.

**C. PLANT MATERIALS**

1. **PLANT STANDARDS** - ALL PLANT MATERIALS SHALL BE EQUAL TO OR BETTER THAN THE REQUIREMENTS OF THE "AMERICAN STANDARD FOR NURSERY STOCK" LATEST EDITION, PUBLISHED BY THE AMERICAN ASSOCIATION OF THE NURSERYMEN. ALL PLANTS SHALL BE TYPICAL OF THEIR SPECIES AND VARIETY. PLANTS SHALL HAVE A NORMAL HABIT GROWTH, AND SHALL BE FIRST QUALITY, SOUND, VIGOROUS, WELL-BRANCHED AND WITH HEALTHY WELL-FURNISHED ROOT SYSTEMS.

2. **PLANT MEASUREMENTS** - ALL PLANTS SHALL EQUAL OR EXCEED THE MEASUREMENTS SPECIFIED IN THE PLANT SCHEDULE, WHICH ARE THE MINIMUM ACCEPTABLE SIZES.

**EXECUTION**

**A. PLANTING PROCEDURES**

1. **PLANT LOCATION** - STAKE LOCATION AND OUTLINE OF BED AREAS. BEFORE CONTAINERS HAVE BEEN REMOVED PLACE TREES, SHRUBS AND GROUND COVERS IN POSITION - SCALING FROM PLANS AS NECESSARY - ON BED AREAS. OBTAIN OWNERS' REVIEW AND APPROVAL PRIOR TO PLANTING. OWNER RESERVES THE RIGHT TO INTERCHANGE PLANT LOCATIONS PRIOR TO PLANTING.

**IRRIGATION SYSTEM**

THE LANDSCAPE CONTRACTOR SHALL PROVIDE A COMPLETE AND AUTOMATED LANDSCAPE IRRIGATION SYSTEM INCLUDING RAIN SENSOR PIPING, HEAD CONTROL WIRES AND APPURTENANCES NECESSARY FOR TURN KEY OPERATION. ALL WARRANTIES GUARANTEES AND OPERATING INSTRUCTIONS SHALL BE PROVIDED TO THE PROJECT OWNERS.

**LEGEND**

EXISTING FOREST TO REMAIN = 9,958 S.F. / .23 ACRES = 18.24%

DENOTES SOILS BOUNDARY

**Fa** SOILS TYPE

**SOILS LEGEND**

**Fa** FALSTON

**WdB** WOODSTOWN

**PLANT WARRANTY & REPLACEMENT**

**A. WARRANTY**

1. CONTRACTOR SHALL FURNISH A WRITTEN WARRANTY THAT EACH PLANT WILL REMAIN ALIVE AND IN GOOD HEALTH AND FLOURISHING CONDITION OF GROWTH FOR ONE FULL YEAR FOLLOWING THE DATE OF SUBSTANTIAL COMPLETION OF THE WORK RELATED TO THAT PARTICULAR PLANT. THE LANDSCAPE CONTRACTOR SHALL CONDUCT A FINAL INSPECTION WITH THE OWNER OR OWNERS REPRESENTATIVE AT THE END OF THE ONE YEAR PERIOD. ANY MATERIAL THAT IS 25% OR MORE SHALL BE CONSIDERED DEAD AND MUST BE REPLACED AT NO CHARGE. A TREE SHALL BE CONSIDERED DEAD WHEN THE MAIN HAS DIED BACK OR IS DEAD.

**B. REPLACEMENT**

2. REPLACEMENTS SHALL BE PLANTS OF THE SAME KIND AND SIZE AS LISTED IN THE PLANT SCHEDULE, FURNISHED AND PLANTED AS IN CONTRACT DOCUMENTS. CONTRACTOR SHALL REPAIR ANY DAMAGE TO GRASSES, LAWNS, OR PAVING CAUSED BY REPLACING PLANTS AT NO ADDITIONAL COST.

**KEY PLANT NAME SIZE QTY. CONDITION SPACING HEIGHT @ MATURITY MITIGATION CREDIT**

|  |   |                              |    |       |              |         |                |
|--|---|------------------------------|----|-------|--------------|---------|----------------|
|  | Acer rubrum<br>Red Maple                    | 1-1/2" CAL.<br>10' TALL MIN. | 9  | B&B   | 50'-60' O.C. | 40'-60' | 1,800 @ 200 EA |
|  | Chionanthus virginicus<br>White Fringetree  | 1-1/2" CAL.<br>10' TALL MIN. | 15 | B&B   | VARIES       | 15'-25' | 1,500 @ 100 EA |
|  | Juniperus virginiana<br>Eastern Redcedar    | 1-1/2" CAL.<br>10' TALL MIN. | 31 | B&B   | 10' O.C.     | 40'-50' | 6,200 @ 200 EA |
|  | Ilex glabra 'Shamrock'<br>Shamrock Inkberry | 1-GAL.                       | 50 | CONT. | AS SHOWN     | 18"-24" | 2,500 @ 50 EA  |

\* .55 POUNDS OF PHOSPHOROUS REMOVAL = 12,000 TOTAL CREDIT = 11,979 S.F. REQUIRED

\* PLANTING REQUIRED TO PROVIDE ADDITIONAL PHOSPHOROUS REMOVAL TO MEET 10% RULE. PHOSPHOROUS REMOVAL RATE IS 1.0 POUND OF PHOSPHOROUS PER 0.5 ACRES OF FOREST PLANTED (PER CRITICAL AREA STAFF)

**SITE DATA**

**PARCEL DESCRIPTION**

TAX MAP 26, PARCEL 392  
LOTS 41-49 AND 50A  
WORCESTER COUNTY MARYLAND  
ACCOUNT NO. 009804,012333,012716

**PROPERTY OWNER**

BURBAGE PROPERTIES INC  
9428 STEPHEN DECATUR HWY  
BERLIN, MD 21811

**APPLICANT / DEVELOPER**

BERLIN YDI LLC  
2425 N. SALISBURY BLVD.  
SALISBURY, MD 21801

**SITE AREA**

± 54,584 S.F. / 1.25 ACRES

**SITE AREA / CRITICAL AREA**

± 1.07 ACRES UPLAND  
± 0.18 ACRES NON-TIDAL WETLAND  
± 1.25 ACRES TOTAL

**ZONING**

C-2, GENERAL BUSINESS  
SETBACKS - FRONT = 100' (ROUTE 50)  
85' (VARIANCE CASE NO. 83659)  
FRONT = 50' (WATERVIEW AVE.)  
SIDE = 6'

**PROPOSED USE**

7,360 S.F. DOCTORS OFFICES

**SEWER / WATER**

SEWER WILL BE PROVIDED BY WEST OCEAN CITY SERVICE AREA. WATER WILL BE ONSITE WELL.

**FLOOD ZONE**

FLOOD ZONE - A7 (ELEV 6) PER FIRM NO. 240083 0105 D

**FOREST DATA**

31,540 SF = 0.72 ACRES EXISTING  
21,585 SF = 0.49 ACRES CLEARED  
9,958 SF = 0.23 ACRES RETAINED (18.24%)

**DISTURBED AREA**

41,800 SF = 0.96 ACRES

**LOT COVERAGE**

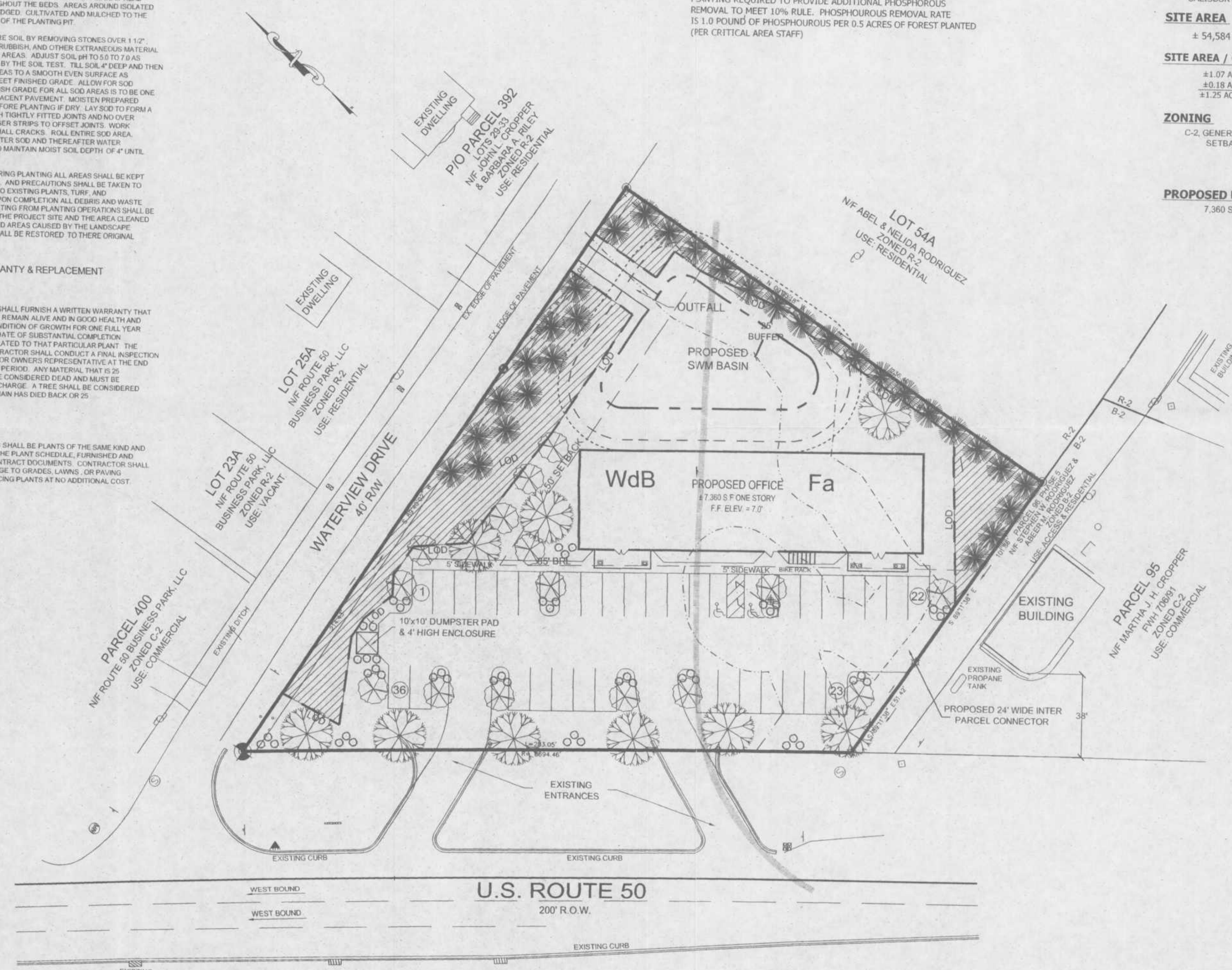
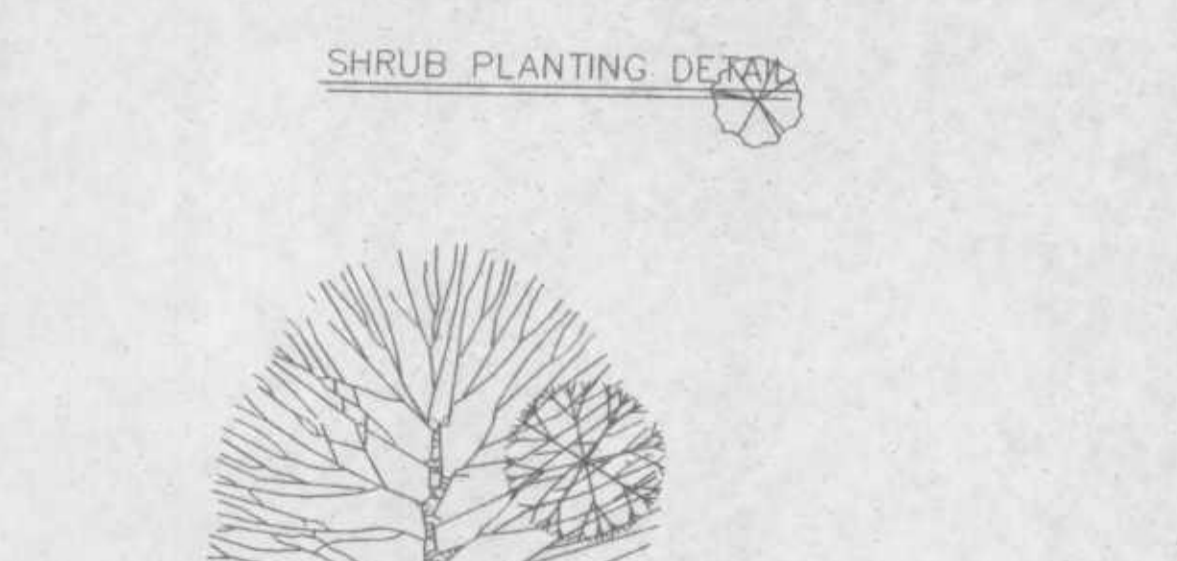
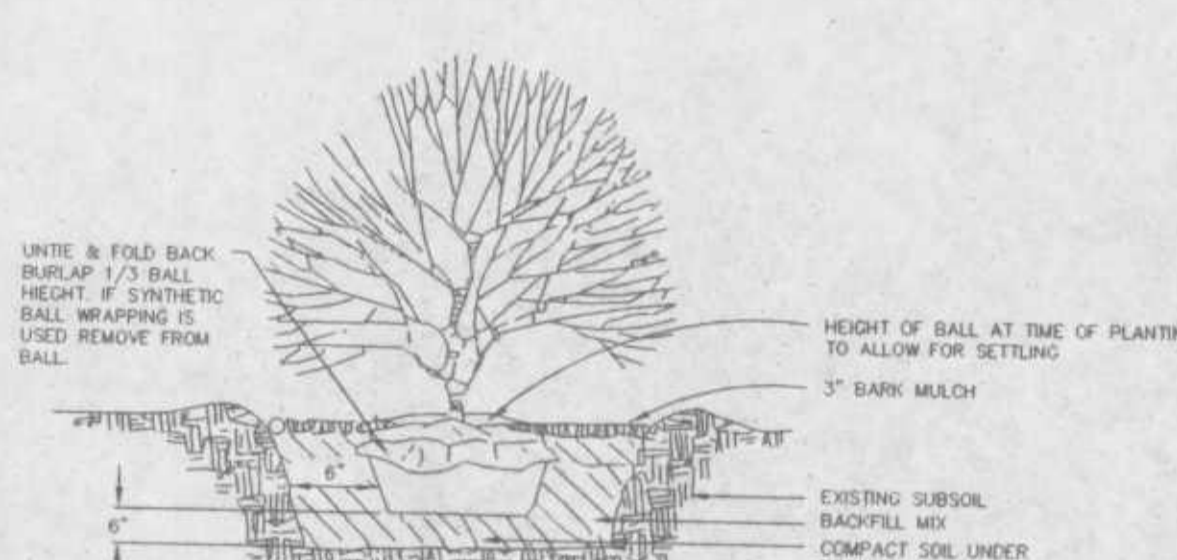
EXISTING = 0.53 SF  
PROPOSED = 24,088 SF = 0.553 ACRES

**NON TIDAL WETLAND IMPACT**

4,912 SF = WETLAND IMPACT  
11,049 SF = BUFFER IMPACT

**NOTES:**

THE OWNER (CONTRACTOR PRIOR TO ACCEPTANCE) SHALL BE RESPONSIBLE FOR CONTINUED MAINTENANCE OF ALL LANDSCAPE AREAS AND PLANT MATERIALS IN ORDER TO INSURE A NEAT ORDERLY APPEARANCE. MAINTENANCE SHALL INCLUDE WATERING, MOWING, WEEDING, AND PROPER CARE OF PLANT MATERIALS.



**WORCESTER COUNTY ATLANTIC COASTAL BAYS CRITICAL AREA LAW NOTE:**

THIS PROPERTY LIES WITHIN THE WORCESTER COUNTY ATLANTIC COASTAL BAYS CRITICAL AREA. ANY AND ALL PROPOSED DEVELOPMENT MUST MEET THE REQUIREMENTS OF TITLE 31 (LAND AND WATER RESOURCES), SUBTITLE 1 (ATLANTIC COASTAL BAYS CRITICAL AREA) OF THE WORCESTER COUNTY CODE OF PUBLIC LOCAL LAWS, AS FROM TIME TO TIME AMENDED, IN EFFECT AT THE TIME OF THE PROPOSED DEVELOPMENT ACTIVITY.

**GRAPHIC SCALE**



LANDSCAPE / CRITICAL AREA PLAN  
TAX MAP 26, PARCEL 392, LOTS 41-49 AND 50A  
WORCESTER COUNTY MARYLAND

RD. HAND AND ASSOCIATES, INC.  
LANDSCAPE ARCHITECTURE, SITE PLANNING AND FEASIBILITY  
12302 COLLINS ROAD HISHOPVILLE, MD. 21813 410-452-5623

**RECEIVED**  
MAR 12 2013  
CRITICAL AREA COMMISSION  
Chesapeake & Atlantic Coastal Bays

|           |              |
|-----------|--------------|
| DATE      | 12/12/12     |
| REV. DATE | 2/28/13      |
| DRAWN BY  | J. MAYHEW    |
| CHK'D BY  | R. J. JORDAN |
| DRAWING   | L-1          |
| SCALE     | 1" = 30'     |

**SHEET**  
L-1

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