GAMMA ENGINEERING

1203A West Street, Annapolis, Md.21401 410.626.1070 email blupt@icloud.com

March 12, 2023

Office of Planning & Zoning 2664 Riva Rd. Annapolis, MD 21401

Letter of Explanation:

126 Cresston Road, Lots 86, 87 & 88, Creston Park Subdivision Owner: Kelsey Lynn Lennon, Chessie Homes

Tax Account: 3225 9025 3425 & 3225 9025 3426. Map 32H, Parcel 134

This letter of explanation pertains to the above referenced property which consists of 3 lots under the above tax accounts and is owned by Kelsey Lynn Lennon and Chessie Homes. These are part of a group of 5 lots, all 5 have been recognized, because both water and sewer are present, as legal lots, the requirement to combine lots to meet minimum area requirement is not applicable. This variance application is submitted as part of the current effort to obtain two buildable sites out of the total of 5 lots. Adjacent lots, 84 and, 128 Cresston Road also has a slope variance request already filed as with the prefile a concurrent review and hearing is recommended.

126 Cresston:

A variance request for 2946 sq.ft. or 0.0676 acres of disturbance to steep slopes is requested. The proposed site area is 11,180.28 sq. ft., zoned R2, served by both public water and sewer, is a double frontage lot critical area is LDA. Because of the dual frontage, 30' foot setbacks apply to both frontages. The existing infill lot is occupied by invasive English ivy dominated understory and a canopy of overgrown oak trees; approximately half of the trees appear to be dead. (see attached photographs) The frontage on Shore Road includes an area of relatively minor slopes (< 15%). The 36' x 38' foundation is placed against the Shore Road 30' setback to minimize the slope disturbance to 3194 sq. ft. The rear of the proposed house extends into slopes but this allows a walkout basement which as discussed below is a more efficient and desirable house style.

The pre-file OPZ recommendation for denial was based on the position that all 5 lots should be combined to create a single site because there was a single "developable area," (a flat area of less than 15% slopes) on 128 Cresston. The attached plan and photos indicate areas of less than 15% on the proposed 126 Cresston site, that while not as large as the 128 Cresston developable area, still allows an area at the front of the proposed house for a driveway, stormwater management etc. This flat area in conjunction with the slopes at the rear provide the opportunity for the more efficient and desirable walkout basement house configuration discussed below.

Explanation that applies to both sites (This is repeated in the 128 Cresston application.)

The pre-file OPZ recommendation for denial is based on the position that all 5 lots should be combined to create a single site. The OPZ prefile comments noted there was a single "developable area" (a flat area of less than 15% slopes) however, both sites have flat areas as indicated on the details labeled: "existing condition plan with house placement detail". This area of 126 Cresston site is not as easily observable in the field being obscured by a pile of fallen trees.

The site plans include details that indicate the flat area on the frontage of the two respective roads with the houses placed at the BRL thus utilizing the flat areas but also including a portion of adjacent slopes thus providing enough elevation differential that allows a "walkout basement" for both houses.

Walkout basements provide an efficient configuration, the at grade basement wall allows the option of a wood framed wall that in conjunction with windows on each sidewall, creates a living space without a "basement feel". This maximizes living area in a minimum footprint and thus impact to the environment.

Houses front opposite streets: The flat areas on each site are located adjacent to alternate road frontages resulting in a single house impacting each street.

The 2 & 3 lot groupings are standard sites in the neighborhood. See attached exhibit of house sites in the immediate surrounding neighborhood; all but one house site consist of 2 or 3 lot groupings. There is one 4 and no 5 lot groupings.

In summary, both proposed sites do not require variances to setbacks, are served by public water and sewer and each have flat areas adjacent to different road frontages resulting in the proposed house locations fronting 2 different roads such that there is only one house impacting each road. The minor slope disturbance is not avoidable and allows for the more efficient walkout house configuration. While one house on all five lots avoids denying any use, the use it allows is not consistent with the surrounding neighborhood of 2 and 3 lot groupings which we suggest establishes rights commonly enjoyed by other properties. If the applicant is required to have 5 lots for a single site, we assert the client is being denied "rights commonly enjoyed by other properties" i.e there are no 5 lot site groupings and only a single 4 lot grouping.

Responses to prefile comments:

Critical Area Team and Zoning Administration - see above discussion of areas and lot groupings.

I & P Engineering ~ 1. A soil boring has been provided for each practice.2. There are no stream buffers or wetlands or buffers affecting this site only steep slopes. 3&4. It is acknowledged the property is served by public water and sewer and will be reviewed at grading permit. 5&6 Infiltration devices have proper separation. "7. The site to ensure that any existing downstream flooding, including nuisance flooding issues, will be exacerbated by the proposed development." (Not clear what this is requiring, we offer: The site has an adequate outfall; there is roadside 375' gutter from the site to tidewater with no flood prone structures.

The following addresses the conditions for granting a variance per section 18-16-305 (b):

- 1. Because of certain unique physical conditions, such as exceptional topographical conditions peculiar to and inherent in the particular lot or irregularity, The presence of the slopes are inherent topographical feature of the site.
- 2. A literal interpretation of COMAR, Title 27, Criteria for Local Critical Area Program Development or the County's critical area program and related ordinances will deprive the applicant of rights commonly enjoyed by other properties in similar areas as permitted in accordance with the provisions of the critical area program within the critical area of the County; See Exhibit of the surrounding properties in the immediate area; the development mostly occurring on two and three lots and many affected by steep slopes such as the subject allows the applicant rights commonly enjoyed by other properties...
- The granting of a variance will not confer on an applicant any special privilege that would be denied by COMAR, Title 27, the County's critical area program to other lands or structures within the County critical area, or the County's bog protection program to other lands or structures within a bog protection area See Exhibit of the surrounding properties and the development; this development does not confer any special privilege and is similar to that occurring on the immediate neighboring properties.
- 4. The variance request is not based on conditions or circumstances that are the result of actions by the applicant, including the commencement of development before an application for a variance was filed, and does not arise from any condition relating to land or building use on any neighboring property; See site plan that indicates the site is undeveloped and there have been no physical activities on the site or adjacent neighbors that caused the need for
- 5 The Granting of a variance will not adversely affect water quality or adversely impact fish, wildlife, or plant habitat within the County's critical area or a bog protection area and will be in harmony with the general spirit and intent of the County's critical area program or bog protection program; See the attached site plan, which indicates that stormwater management is being provided which will protect the water quality, wildlife and plant habitats and all other requirements of development in the critical area will be met.
- 6. The applicant for a variance to allow development in the 100-foot upland buffer has maximized the distance between the bog and each structure, taking into account natural features and the replacement of utilities, and has met the requirements of § 17-9-208 of this Code; See the attached site plan, There is no development proposed within a 100 foot shoreline buffer or buffer to a bog.
- 7 The applicant, by competent and substantial evidence, has overcome the presumption contained in the Natural Resources Article, § 8-1808, of the State Code; See the attached site plan, and attachments provided to address the requirements.
- 8 The applicant has evaluated and implemented site planning alternatives in accordance with § 18-16-201(c). See the attached site plan, it utilizes all applicable alternatives, there being none that meet the objectives of the applicant.
 - (c) Requirements for all variances. A variance may not be granted unless it is found that:
- (1) the variance is the minimum variance necessary to afford relief; and See the attached site plan indicating that the development scope and size is consistent with the neighboring properties.
 - (2) the granting of the variance will not
- (i) after the essential character of the neighborhood or district in which the lot is located. See the attached exhibit of the surrounding properties that demonstrates the development is consistent with the character of the immediate neighborhood in which the lot is located.
- (ii) substantially impair the appropriate use or development of adjacent property; See the attached site plan that indicates there is no impact on adjacent properties.
- (iii) reduce forest cover in the limited development and resource conservation areas of the critical area: See the attached site plan that indicates the forest removal that is consistent with the neighborhood and reforestation fees will be
- (iv) be contrary to acceptable clearing and replanting practices required for development in the critical area or a bog protection area; nor See the attached site plan, which has been prepared to meet the acceptable clearing and replanning practices.
- (v) be detrimental to the public welfare. See the attached site plan, which indicates that stormwater management is being provided which will protect the water quality, wildlife and plant habitat.

If there are any questions or additional information is needed, please contact this office at (410) 626-1070.

Sincerely,

Michael Helfrich, P.E.

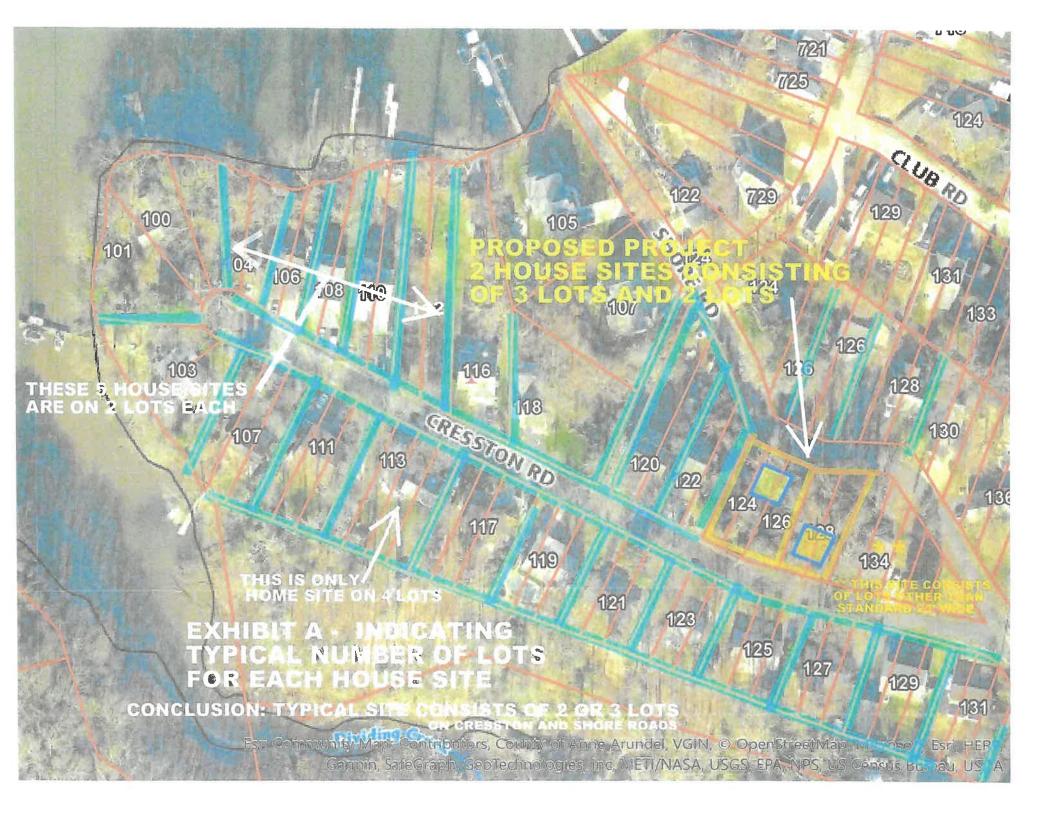




PHOTO 1 FRONT OF LOT LOOKING TOWARDS RIGHT PROPERTY LINE



PHOTO 2 LOOKING TOWARDS REAR OF PROPERTY



PHOTO 3 FRONT OF LOT LOOKING TOWARDS RIGHT PROPERTY LINE



PHOTO 4 FRONT OF LOT LOOKING TOWARDS LEFT PROPERTY LINE



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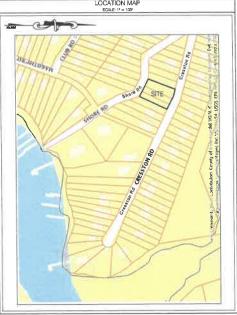
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STORMWATER MANAGEMENT CONCEPT PLAN







| WATERIAL | CONTRACT LOT COVERAGE 2 320 SQ. FT. / 11,180 SQ. FT. = 20.8% OF SITE

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MICHAEL HELFRICH

STORMWATER MANAGEMENT RECORD

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STORMWATER MANAGEMENT NOTE

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CHARGE	(Rev)	60	SWN PRACTICE A AND B	
MANNEL PROTECTION DRAGE VOLUME	(Apr)	168	BANI PRACTICE A AND B	
FERBANK FLOOD OTECTION	(Op10)	1127	ADEQUATE DUTFALL	
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REQUIRED SITE INFORMATION

SITE DISTURBED AREA - 5,172 BQ, FT, SEE AREA TABULATION PO

INDEX DESCRIPTION EXISTING CONDITIONS AND PESQUINCES PLAN DRAINAGE AREA MAPS SITE PLAN, GRACING SEDIMENT AND EROSION CONTROL PLAN STORMWATER MANAGEMENT PLAN

OWNER!

CHESSIE HOMES (LOTS 87 AND 88) CHESSIE HÖMES (LOTS 67 AND 88 250 HARLEM ROAD PASADENA, MD 21122 AND KELSEY LYNN LENNÖN (LOT 88) 250 HARLEM ROAD PASADENA, MD 21122

OUTFALL STATEMENT.

GRADING PERMIT PLANS

MAPS AND AREA TABULATION

124 CRESSTON ROAD, ARNOLD (LOTS 87 AND 88) AND 126 CRESSTON ROAD, ARNOLD (LOT 86)

G0201

CRESSTON PARK TAX MAP 32H, GRID 11, PARCEL 134, TAX ACCT #3226 9025 3426 (LOTS 87 AND 88) AND 3225 9025 342 (LOT 86) 380 DISTRICT, ANNE ARUNDEL COUNTY, MD. ZONING 82

SCALE: AS SHOWN DATE: 3/11/2024 SHEET 1 OF 6



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REVISIONS

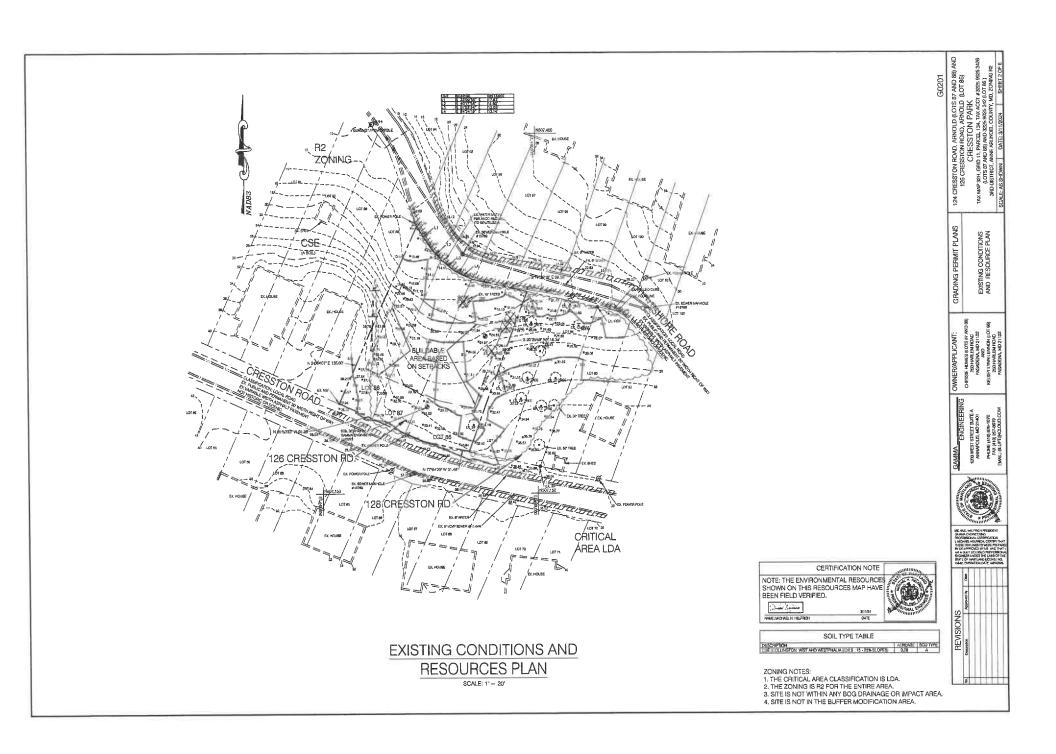
TORMWATER MANAGEMENT DATA FORM v1.1/2020 Project Table for Each Drainage Area

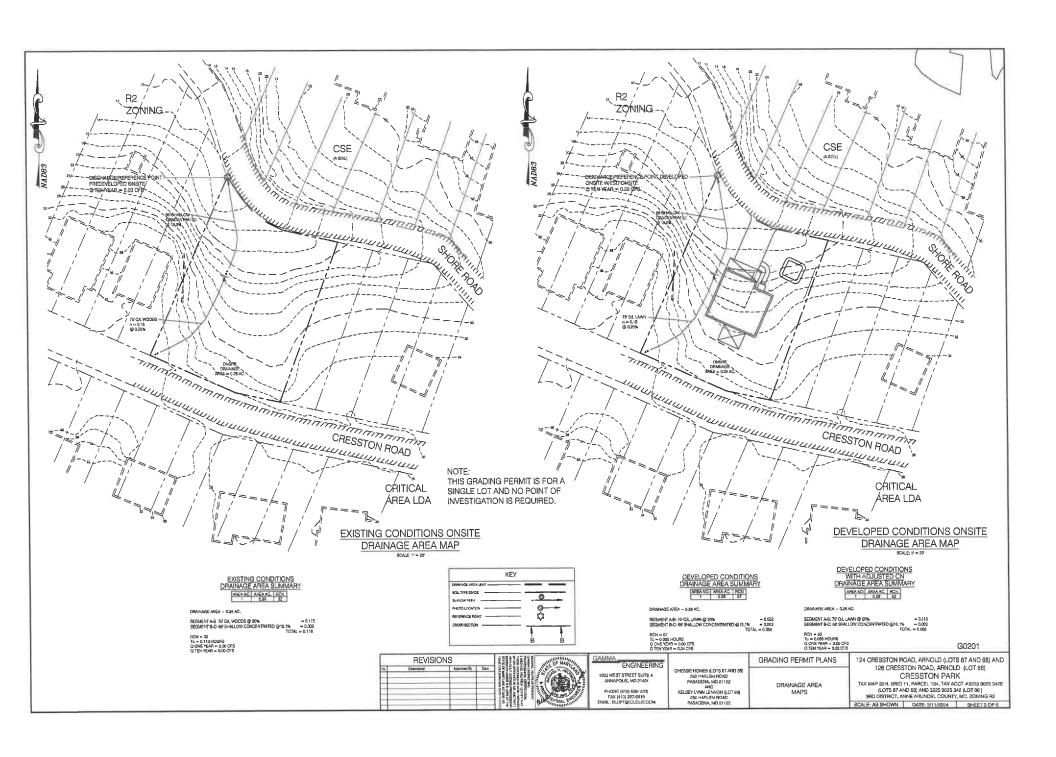


1203 WEST STREET SUITE A PHONE (410) 626-1070 FAX (410) 267-8619 EMAIL: BLUPT@YCLOUD.COM

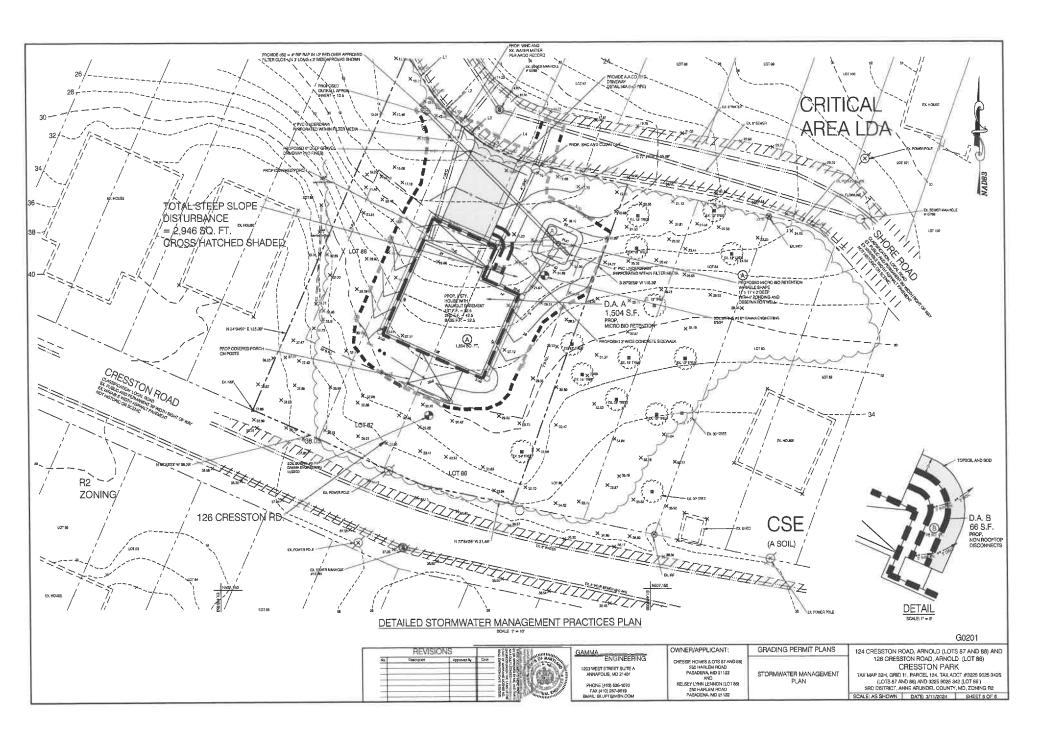
GAMMA ENGINEERING

COVER SHEET, GENERAL NOTES,









B.4.C Specifications for Milera-Biorescotion, Raip Gardens, Leaders pe Infiltration & Infiltration Borror

1. Material Specification

The allowable materials to be used in these practices are detailed in Table B.A.t.

3 Pilterior Media or Plantics Soll

The soil shalf be a satisform usis, free of sorner, alongs, posts or other similar objects larger than to a locket. No other materials to substances shall be mixed or damped within the rilexo-bioretention practice that may be harmful to practice of the property of the p

The planting soil shall be tested and shall meet the following criteria:

- Said Component Lourny Sand or Sandy Learn (USDA Soll Textural Classification) Sail Conganized - Louinty Sailer for Yandry Locker (1997), which was installed considerational Companies Contest. His Harmon 1995 (1996) and composed (1996) as the (1996), concer send (1996), and composed (1996) and composed (1996) as the (1996), concer send (1996), and composed (1996). (1996) and composed (1996) as (1997) concerts - Harmon 1996 (1997), and the (1997) concerts - Harmon 1997 (1997). (1997) and the (1997) concerts - Harmon 1997 (1997) and (1997) an

Bees shall be at least one soil test per project. Each test that't consist of both the standard soil test for plt, and additional tests of organic matter, and soluble salts. A textural snalphile is required from the after stockpiled tegent). If beyond is imported, then a texture analysis for partie metal for each location where the toppoil was executed.

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Compaction can be alleviated at the base of the biorecention facility by using a primary (illing operation such as a chief plany, fipper, or selvation. There tilling operations are to relate use the old profile through the 12 lack compaction rate. Solidate methods may be expressed by the engineer, Assembliers pointedly do not till deep enough to reduce the effects of compaction from

Rotolill 2 to 3 inches of send into the base of the blomermion facility before back tilling the optional send layer. Pump any ponded water before preparing (retatilling) base.

When back filling the topsoil over the sand layer, first place 3 to 4 inches of topsoil over the sand, then rotes iff the sand topsoil to area is a grain few zone. Back fill the tertainder of the topsoil to

When backfilling the blorrention ficility, place soil in lift 12" to 18". Do not use heavy equipment within the blorrention besin. However, equipment can be used account the perimeter of the basin in snepty soils and saud. Grack blorrention materials with light equipment such as a compact foolier or a discretionary with marsh tracks.

4. Plant Material

Recommended plant material for micro-blorers also practices can be found in Apprudix A. Seution A.2.3.

5. Plant installation

Compost is a better organic material source, is less fittely to float, and about the placed in the invert and other low acces. Much when the placed in narrounding to a utilizen thickness of 20 to 37. Shoulded or object behaviour and said is the only secreted much. It is much and woo chips will, float and move to the portineter of the biornamics are during a storat even and set out exceptable. Shoulded much it most be well aged to 10 cl comainly for exceptance.

Recutacels of the plant material abult be kept moist during transport and on-the storage. The plant rook hall should be planted to plant of not held is above final gardes surface. The distinction of the planting plant but to keep as it before targer than the distance of the planting but. Set and maintain the plant straight during the entire planting pressure. Thereughly mater ground bed cover affect branting. sover offer Installation.

Frees shall be brazed using 2^m by 2^m stakes only an assessmy and for the first growing season only laddes are to be equally speced on the outside of the true ball.

firenses and legume weel should be drilled into the soil to a depth of at least one inch. Grass and legume plugs shall be planted following the non-grass ground cover planting specifications.

The toppoli specifications provide enough organic naterial to adequately upply nutrients from natural cycling. The primary fluoriest of the bleetertiles structure is a timprove water quality. Adding fertilizers defauts, or at a minimum, impodes this goal. Only and fertilizer if twood ships are marked to make the most defaut or marked to travel to make the most defaut or marked to the most defaut are in rate of 2 pounds par 1000 aquate fact.

6. Undardralas

Underdrains should used the following criteria:

- Pipe Should be 4" so 8" diameter, skelted or perforated rigid plastic pipe (A STMF 758, Type I'-9 28, or AASHTO M 278) in a gravel tayer. The proferred material is shotted, 4" rigid pipe (e.g.,
- PVC or HIU/Ps).
 Perforations If performed pipe is used, perforations should be Mⁿ diameter located 5° on center with a minimum of four holes per one. Pipe theil he wrapped with a Mⁿ (No. 4 or 4x4) galvanized hardware cloth.
- transverse cloth.

 Gravel The gravel layer (No. 57 stone preforms) shall be at least 3" thick above and below the

- seriodostics. The under solidate project shall be as withfinium 0.5% slope.

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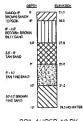
The main collector pipe for underdrain systems shall be constructed at a minimum glope of 0.5%. Observation wells and/or (lean-out pipes must be provided (one minimum on every 1009 square for of surface area).







SIDEWALK TYPICAL DETAIL (NON ROOFTOP DISCONNECT)







SOIL AUGER #3 BY GAMMA ENGINEERING FEBRUARY B 2024 NOT TO SCALE

MAINTENANCE SPECIFICATION

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STORMWATER MANAGEMENT GENERAL NOTES

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2. OVERBANK TO GOO PROTECTION VOLUME (Opin) IS NOT REQUIRED, THE OUTFALL HAS
ACECUATE CARACITY.

3. FLOOP PROTECTION VOLUME DI IS NOT REQUIRED AS THE DOWNSTREAM AVALYSIS INDICATED
THAT THERE WOULD BE NO FLOODING DOWNSTREAM OF THE PROJECT.

STORMWATER MANAGEMENT SUMMARY TABLE

ANNULL SIZING ZRITEAU	SYVBOL	VOLUME REQUIRED (CUBIC FEET)	SWM PRACTICE	NOTES
WATER CURLITY OLUME	(MOV)	221	SAN PRACTICE A AND B	
BERRHOSI MULION	(Rev)	63	SWM PRACTICE A AND B	
CHANNEL PROTECTION TORAGE VOLUME	(Opv)	188	SWM PRACTICE AANDR	
OVERBANK PLOCID PROTECTION	(Qp10)	1127	ADEQUATE OUTFALL	
OTREME	(01)	N/A	NIA	

STORMWATER MANAGEMENT DATA FORM v1.1/2020

Parmit Number	80301
Pinect Number	
Project Name Structure Address	Lots 66, 87 and 66 126 Conston Road
Structure Criti	Amold
Structure 240	Maryland 2101
Acres	9,31
RCN - Pos Construction RCN - Post Construction	32
N - Woods pull Humber of	
Required (See	1.F
"EAddressed (see	ir
Hill & Digit HUC (see	3133000
USGS 12-DRUBHUK	Black - County Use

For Each Pri	actice in the Drainage Area	5.5 SYA		New development (NEWD), Redvelopment (REDE), or Responstion (REST)		MOP Code						Here	New
STORM ID	STRU NAME	MOE GMP CLASS	MOE BAIP TYPE	CONSTRUCTION PURPOS	ON or OFF SITE	LANDUSE	DEVICE DRAINAGE AREA JACON	INFERMIOUS AREA DRAINING TO DEVICE (Square feet)		MD EAST COORD	WQ, [ft8] [See Hote	winnersance Responsibility	Campang
Blank - County Use	micro bio recention non recent disconnects	t	HONR	NEWD	ON Cit	12	0.034		 507266 507266	1448049 1448049		Individuel Homeowner (Residentis)	



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CEPHALANTHUS OCCIDENTA BUTTONGUSH HAME WELKS WIRG IN LAW WITCH HAZEL

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TYPICAL PLANTING PLAN

S = SINGLE SHRUB 5-CLUSTERS OF 3 SHRUBS = 15

OHO = CLUSTER OF HERBS

PER 100 SO. FT.

PROPOSED SPECIES FOR MORO BIO-RETENTION ULTRA LIRBAN FLANTER BOXES AND LANDSCAPE INFILTRATION

HERBACEOUS SPECIES

EURATORIUM PERPUREA JOE PYE WEED

FISS VERGICOLOR

PANICUA VIRGATUM SATTCHGRASS

HUDBECKIA LACINIATA TALL CONEFLOWER

BCRIPUS CYPERNUS WOOLGRASS

OICHANTHELIUM SCOPARIUM BROOM PANIO GRASS

REVISIO	SAN SAN CHAR		
Description	Approved By	Dage	WEI HELFRICH PREDERLY FESSON ME CERTIFICATION FESSON ME CARTERION FESSON M
			862 8 8





OWNER/APPLICANT: CHESSIE HOMES (LOTS 87 AND 88) 250 HARLEM ROAD PASADENA, MD 21122 AND

KELSEY LYNN LENNON (LOT 86) 250 HARLEM ROAD PASADENA, MD 21122

GRADING PERMIT PLANS

STORMWATER MANAGEMENT NOTES, COMPUTATIONS AND DETAILS

G0201 124 CRESSTON ROAD, ARNOLD (LOTS 87 AND 88) AND

CRESSTON PARK TAX MAP 32H, GRID 11, PARCEL 134, TAX ACCT #3225 9025 3426 (LOTS 87 AND 88) AND 3225 9025 342 (LOT 86)
3RD DISTRICT, ANNE ARUNDEL COUNTY, MD, ZONING R2 SCALE: AS SHOWN DATE: 3/11/2024 SHEET 5 OF 6

126 CRESSTON ROAD, ARNOLD (LOT 86)

CRITICAL AREA REPORT

FOR

CRESSTON PARK LOTS 86, 87 & 88

PREPARED BY:

Gamma Engineering 1203 West Street, Suite A Annapolis, MD 21401

MARCH 2024

1203 West Street, Suite A
Annapolis, MD 21401
(410)626-1070 Fax (410)267-8619
Email blupt@icloud.com

Critical Area Report
Office of Planning & Zoning
2664 Riva Rd.
Annapolis, MD 21401

March 14, 2024

Applicant: Michael Helfrich

1203 West Street Suite A Annapolis, MD 21408

Site Address: 126 Cresston Road

Arnold, MD 21012

Lots 86, 87 & 88, Cresston Park

RE: Information required for submission of Critical Area Report

I. Site Description and Explanation: The subject property is Lots 86, 87 & 88 in the subdivision of "Cresston Park". The site contains approximately 11,180.28 square feet or 0.26 acres. The site is part of parcel 134 in block 11 of Tax Map 32H. The lot is zoned R-2 and is in the 3rd Assessment District of Anne Arundel County. The lot is in the Critical Area and is designated as a Limited Development Area (LDA).

The applicant is requesting the following variances to allow construction of a single family dwelling:

Article 17-8-201(a):

• A variance to disturb 2,946 sf of steep slopes in the Critical Area

The proposed development will not alter the essential character of the neighborhood, will not impair similar development of adjacent properties, will not significantly reduce forest cover and will not be detrimental to the public welfare. The proposed development will not be inconsistent with the intent of the critical area program.

II. See enclosed site plan for vicinity map.

III. Narrative Statements:

- The proposed construction will have minimal or no effect on water quality. SWM meeting ESD requirements will be provided via micro bioretention.
- All impervious area for the site will not exceed allowed amounts. There is no existing impervious area on the site. A total of 2,320 sf of impervious area is proposed for the site (20.8%).
- The lot is occupied by invasive English Ivy dominated understory and a canopy of overgrown red and white oak trees. Approximately half of the trees appear to be dead.

There are none of the following designated habitat protection areas on site: riparian forests 300' or more in length, forested blocks greater than 100 acres, or natural heritage areas. The following designated protection areas do not exist on site: non-tidal wetlands, water bird nesting sites, historical waterfowl nesting, staging or concentration areas.

IV. Site Plan

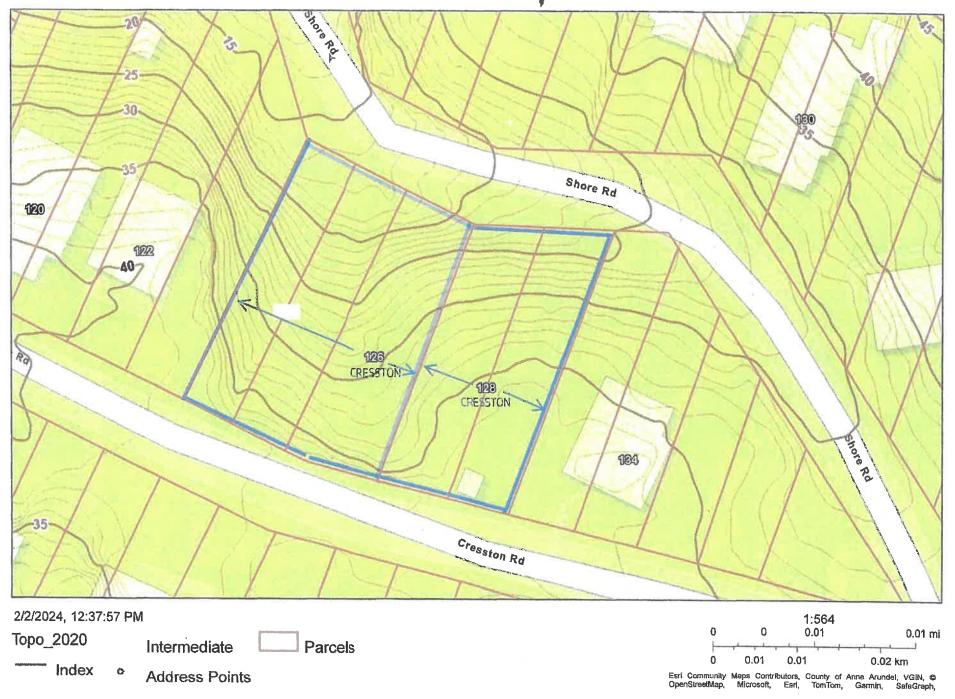
The enclosed site plan shows, if applicable, all of the following: existing vegetated area and all proposed structures. The clearing proposed is as designated, no wetlands disturbance is proposed.

V. See enclosed Notification of Project application.

Sincerely,

Michael Helfrich, P.E.

Anne Arundel County Engineering Record Drawing and Monuments



CRITICAL AREA COMMISSION CHESAPEAKE AND ATLANTIC COASTAL BAYS 1804 WEST STREET, SUITE 100 ANNAPOLIS, MD 21401

PROJECT NOTIFICATION APPLICATION

GENERAL PROJECT INFORMATION

Jurisdiction: Anne Arunde	el County		Date: j-15-24
Tax Map # Parcel # 32 H 134	Block # Lot #	Section	FOR RESUBMITTAL ONLY Corrections Redesign No Change Non-Critical Area
Tax ID: 3225-902 3225-902	-		*Complete Only Page 1 General Project Information
Project Name (site name, su Project location/Address	ubdivision name, or other)		ton Park, lots 86,87+88
City Arnold			Zip 2/0/2
Local case number			
Applicant: Last name	Helfrich		First name Michael
Company Gamm	a Engineering		
Application Type (check a Building Permit Buffer Management Plan Conditional Use Consistency Report Disturbance > 5,000 sq ft Grading Permit	ll that apply):	Variance Rezoning Site Plan Special Excep Subdivision Other	tion
Local Jurisdiction Contact	t Information:		
Last name AACo Zoning	g Administration Section	First name	
Phone # 410-222-743	7 Respon	nse from Comr	nission Required ByTBD
Fax#		Hearing date	TBD

SPECIFIC PROJECT INFORMATION

Describe Proposed use	of project	site:				6		
Disturb St	eep 510	ipes in	the Ci	itical Area to Co	nsmict	- a SFC		
Intra-Family Transfer Grandfathered Lot	Yes			Growth Allocation Buffer Exemption Are	Yes — ea —			
Project Type (check al	l that app	oly)						
Commercial Consistency Report Industrial Institutional Mixed Use Other				Recreational Redevelopment Residential Shore Erosion Contro Water-Dependent Fac				
SITE INVENTORY (F	Inter acre	es or sangre	feet)					
offil hvvliviour (i	Acre	_	Sq Ft		Acres	Sa Ft		
IDA Area	71010	0	0	Total Disturbed Area	0./3	5,472		
LDA Area	0,2	16 11	180,28					
RCA Area	0.0	1	20,20	# of Lots Created				
Total Area	(1	0	# of Lots Cleated				
Duisting Parastation allowed	/T	Acres	Sq Ft	Evicting Lat Covers	Acres	Sq Ft		
Existing Forest/Woodland Created Forest/Woodland/		0.24	10,462	Existing Lot Coverage New Lot Coverage	0	0		
Removed Forest/Woodlan		813	5 971	Removed Lot Coverage	0.053	2,320		
Removed Folest/ woodlan	d/Trees	0.73	2,111	Total Lot Coverage		3 30		
				Total Lot Coverage	0.053	2,320		
VARIANCE INFORM	ATION (****			
		Acres	Sq Ft		Acres	Sq Ft		
Buffer Disturbance				Buffer Forest Clearing				
Non-Buffer Disturbance				Mitigation				
Variance Type Buffer Forest Clearing HPA Impact Lot Coverage Expanded Buffer Nontidal Wetlands Setback Steep Slopes Other			Ba De Dv Ga Ga Pa ——— P Sh	Structure cc. Structure Addition arn cck welling welling Addition arage azebo tio ool led				
			Ol	her				

Revised 12/14/2006



OFFICE OF PLANNING AND ZONING

CONFIRMATION OF PRE-FILE (2024-0004-P & 2024-0005-P)

DATE OF MEETING:	_
P&Z STAFF: Sara Anzelmo, Kelly Krinetz, Habtamu Zelek	e
APPLICANT/REPRESENTATIVE: Chessie Homes/Michael Helfrich EMAIL: blupt@icloud.com	
SITE LOCATION: 128 & 126 Cresston Road LOT SIZE: 5,906 sf & 11,180 sf ZONING: R2	
CA DESIGNATION: LDA BMA: N/A or BUFFER: N/A APPLICATION TYPE: Critical Area Variance	

The applicant proposes to construct two single-family dwellings, one of Lots 84 & 85 and one on Lots 86-88. The proposed development would require variances to disturb slopes of 15% or greater. More specifically, the proposed slope disturbance would be 1,371 sf on Lots 84 & 85 and 3,194 sf on Lots 86-88. Note: A previous variance for Lot 86 (2022-0010-V) was denied.

COMMENTS

The Critical Area Team commented that these sites consist of two out of five and three out of five contiguous lots that were originally transferred to Creston Park Realty Company in 1923. The company dissolved in 1958 and all five lots were purchased in January 2021 by Chessie Homes for \$35,000. All five lots are encumbered by slopes ranging from 18% to 35% with a single area of approximately 1800 sq. ft., located in the corner of Lots 84 and 85 that is located outside of the steep slopes and could be suitable for development. It should be noted that all 5 lots are legal lots but not necessarily buildable. As mentioned before, only approximately 1800 sq. ft. of the 5 lots appears to be suitable for development. The five lots should be developed as a single site and any variances or modifications should be to facilitate development in that location, not create developable lots where they do not exist.

The **Zoning Administration Section** concurs with the Critical Area Team and reminds the application that, in order for a Critical Area variance to be approved, the applicant must demonstrate and the Hearing Officer must find that the proposal complies with each and every variance standard provided under Section 18-16-305(b) and (c). Variance site plans require the height of the proposed structures to be labeled.

The Engineering Division provided a list of items that need to be addressed. (See two attached comment forms.)

INFORMATION FOR THE APPLICANT

Section 18-16-201 (b) Pre-filing meeting required. Before filing an application for a variance, special exception, or to change a zoning district, to change or remove a critical area classification, or for a variance in the critical area or bog protection area, an applicant shall meet with the Office of Planning and Zoning to review a pre-file concept plan or an administrative site plan. For single lot properties, the owner shall prepare a simple site plan as a basis for determining what can be done under the provisions of this Code to avoid the need for a variance.

*** A preliminary plan checklist is required for development impacting environmentally sensitive areas and for all new single-family dwellings. A stormwater management plan that satisfies the requirements of the County Procedures Manual is required for development impacting environmentally sensitive areas OR disturbing 5,000 square feet or more. State mandates require a developer of land provide SWM to control new development runoff from the start of the development process.

Section 18-16-301 (c) Burden of Proof. The applicant has the burden of proof, including the burden of going forward with the production of evidence and the burden of persuasion, on all questions of fact. The burden of persuasion is by a preponderance of the evidence.

A variance to the requirements of the County's Critical Area Program may only be granted if the Administrative Hearing Officer makes affirmative findings that the applicant has addressed all the requirements outlined in Article 18-16-305. Comments made on this form are intended to provide guidance and are not intended to represent support or approval of the variance request.

2024-0005-P

Menu

Cancel

Help

Task I and P Engineering

Assigned to Department Engineering Action by Department

Engineering Start Time

Billable

No

Due Date 01/26/2024 Assigned to Habtamu Zeleke Action By

Assigned Date 01/29/2024 Status Complete w/ Comments Status Date Hablamu Zeleke 01/29/2024 Hours Spent End Time

Overtime No

0.0 Comments

Variance comments 2024-0005-P 126 Cression RD

1. A soil boring is required per practice. The suitability, and siting of proposed SVM practices should be reviewed. Soil boring information including verification of the suitability of in-situ soils for infiltration shall be submitted. A Geotech investigation should be performed.

investigation snould be performed.

2. Given the disturbance to sensitive resources including the steam buffer, steep slopes, wetlands, and buffers, the proposed design adversely affects the water quality within the Critical Area. Please clarify.

3. In the site plan provided, it appears that the property will be served by public water and sewer.

4. The utility for the site will be reviewed during the grading permit.

5. Infiltration devices, including individual lot devices, shell be located a minimum of 10 feet horizontally from any public

 Initiation devices, including individual list devices, shall be located a minimum of 10 feet horizontally from any public sanilary sever or house connection.
 The County Stormwater manual requires that Infiltration devices downhill from buildings and structures with basements shall be located a minimum of 10 feet from the structure, or the intersection of the structure foundation footing with the phreatic line from the overflow depth of the device, whichever is greater. Please clarify how this requirement is met.
 The site to ensure that any existing downstream flooding including nuisance flooding issues will be exacerbated by the proposed development. proposed development.

The design should evaluate and implement site planning alternatives in accordance with 18-16-201,
 Additional information is required to show how the site meats Environmental Site Design.

10. SWM as proposed may not be feasible, the proposed Micro bioretention is sited to take a steep slope drainage area, which may affect the functionality of the practice.

11. The proposed gravel driveway may impact the water quality. In Possession Time (hrs)

Time Tracking Start Date Est. Completion Date In Possession Time (hrs)
Display E-mail Address in ACA Display Comment in ACAComment Display In ACA
No

All ACA Users

Record Creator Licensed Professional Contact

Owner

Action

Estimated Hours

Updated

Workflow Calendar

Yask Specific Information

Reviewer Name

Reviewer Phone Number

Review Notes

Reviewer Email