

APP. EXHIBIT# 1

CASE: 2024-0025-V

DATE: 4/11/24

NOTICE

AN APPLICATION HAS BEEN FILED FOR VARIANCE TO
ALLOW MOORING PILLS WITH LESS
SETBACKS THAN REQUIRED

LOCATION: 98 PEPYAK POINT ROAD FINGERTON

CASE NO: 2024-0025-V

BARRY GOSNELL

PENDING A PUBLIC HEARING. FOR INFO CONTACT THE
ZONING DIVISION AT 410-222-7437 OR VIEW WEBSITE

WWW.AACOUNTY.ORG/ADMINHEAR/INDEX.CFM

NOTICE

AN APPLICATION HAS BEEN FILED FOR VARIANCE TO
ALLOW MOORING PILLS WITH LESS
SETBACKS THAN REQUIRED

LOCATION: 48 PINEAPPLE POINT ROAD, FOXGROVE
CASE NO: 2024-0025-Y
BARRY GOSNELL

PENDING A PUBLIC HEARING. FOR INFO CONTACT THE
ZONING DIVISION AT 410-222-7437 OR VIEW WEBSITE
WWW.AACOUNTY.ORG/ADMINHEAR/INDEX.CFM

APP. EXHIBIT# 2
CASE: 2024-0025-V
DATE: 4/11/24

January 31, 2024

Anne Arundel County Planning and Zoning
2664 Riva Road
Annapolis, MD 21401

Project Name: Barry Gosnell
Project Address: 48 Poplar Point Road
Edgewater, MD 21037

Re: AAC Variance Application

We are aware that our neighbor, Barry Gosnell, is requesting a permit and variance request from Anne Arundel County to install six new piles. We have no objection to this request, as long as it will not restrict our future plans to expand the size of our boat lift or any additional expansion plans we may have.

Sincerely,



John Jacobs & Colleen Busher
49 Poplar Point Road
Edgewater, MD 21037



Maryland
Department of
the Environment

Wes Moore, Governor
Aruna Miller, Lt. Governor

Serena McIlwain, Secretary
Suzanne E. Dorsey, Deputy Secretary

March 20, 2024

Barry R Gosnell
c/o Renee Norris
RKN Marine Permits & Services
1160 Indian Landing Rd
Millersville, MD 21108

APP. EXHIBIT# 3
CASE: 2024-0025-V
DATE: 4/11/24

Via email: renee.norris@comcast.net

Re: Agency Interest Number: 70464
Tracking Number: 202460232
Tidal Authorization Number: 24-PR-0171

Dear Barry Gosnell:

Your application to alter tidal wetlands has been evaluated by the Tidal Wetlands Division. Your State wetlands license or permit authorizing work in tidal wetlands is attached. Please take a moment to read and review your authorization to ensure that you understand the limits of the authorized work and all of the general and special conditions.

Your project qualifies for federal approval under the Maryland State Programmatic General Permit (MDSPGP) under the Category A limits. The federal permit is not attached. The MDSPGP permit, general conditions, and activity specific special conditions must be downloaded from the Department's website at https://mde.maryland.gov/programs/Water/WetlandsandWaterways/Pages/MDSPGP6_conditions.aspx. You will need to download the following: Cover Letter, MDSPGP General Conditions, and the following MDSPGP-6 Activity-Specific Conditions (GP6) A3. You should not begin any work until you have obtained all necessary State, local, and federal authorizations.

This State authorization is a final agency decision; there is no further opportunity for administrative review. Any person with standing, who is either the applicant or who participated in the public participation process through the submission of written or oral comments, may petition for judicial review in the circuit court in the county where the authorized activity will occur. The petition for judicial review must be filed with the court within 30 days of receipt of this decision. Please contact Guy Stefanelli at guy.stefanelli@maryland.gov or 410-537-3247 with any questions.

Sincerely,

Heather Hepburn, Chief
Western Region
Tidal Wetlands Division



STATE OF MARYLAND
DEPARTMENT OF THE ENVIRONMENT
WATER AND SCIENCE ADMINISTRATION
GENERAL TIDAL WETLANDS LICENSE



Pier, Piling and Boat Lift Construction

LICENSE NUMBER: **24-PR-0171**
EFFECTIVE DATE: **March 20, 2024**
EXPIRATION DATE: **March 19, 2027**
LICENSEE: **Barry R. Gosnell**
ADDRESS: **48 Poplar Point Rd**
Edgewater, MD 21037-1221
PROJECT LOCATION: **48 Poplar Point Rd**
Edgewater, MD 21037-1221
Church Creek in Anne Arundel County

PURSUANT TO THE AUTHORITY OF THE BOARD OF PUBLIC WORKS, TITLE 16 OF THE ENVIRONMENT ARTICLE, ANNOTATED CODE OF MARYLAND, AND CODE OF MARYLAND REGULATIONS 26.24 AND 23.02.04, **Barry R. Gosnell** ("LICENSEE") IS AUTHORIZED BY THE WATER AND SCIENCE ADMINISTRATION ("ADMINISTRATION") TO CONDUCT THE FOLLOWING REGULATED ACTIVITY IN STATE TIDAL WETLANDS, IN ACCORDANCE WITH THE CONDITIONS OF THIS LICENSE AND THE ATTACHED PLANS DATED **January 27, 2024**, PREPARED BY **RKN Marine Permits and Services**, AND APPROVED BY THE ADMINISTRATION'S TIDAL WETLANDS DIVISION ON **March 20, 2024**, AND INCORPORATED HEREIN:

1. Remove seven existing mooring piles;
2. Replace in-kind six pier piles; and
3. Construct a boat lift with associated piles, a PWC lift with associated piles, and six mooring piles, all extending a maximum of 118.5 feet channelward of the mean high water line.

SPECIAL CONDITIONS

- A. The Licensee shall remove the existing mooring piles prior to the commencement of the construction of the new lifts and piles.
- B. The existing or authorized pier shall not comprise more than a maximum of 6 slips, lifts, or hoists inclusive of a maximum of six mooring piles with no greater than 4 boat slips, lifts, or hoists.
- C. The Licensee shall obtain a variance from Anne Arundel County prior to commencement of construction. This License is not valid unless the variance is obtained.

GENERAL CONDITIONS

- A. The Maryland Department of the Environment has determined that the proposed activities comply with, and will be conducted in a manner consistent with the State's Coastal Zone Management Program, as required by Section 307 of the Federal Coastal Zone Management Act of 1972, as amended.
- B. The Licensee shall comply with all Critical Area requirements and obtain all necessary authorizations from local jurisdiction. This License does not constitute authorization for disturbance in the 100-foot Critical Area Buffer. "Disturbance" in the Buffer means clearing, grading, construction activities, or removal of any size of tree or vegetation. Any anticipated Buffer disturbance requires prior written approval, before commencement of land disturbing activity, from local jurisdiction in the form of a Buffer Management Plan.
- C. If the authorized work is not performed by the property owner, all work performed under this Tidal Wetlands License shall be conducted by a marine contractor licensed by the Marine Contractors Licensing Board (MCLB) in accordance with Title 17 of the Environment Article of Annotated Code of Maryland. A list of licensed marine contractors may be obtained by contacting the MCLB at 410-537- 3249, by e-mail at MDE.MCLB@maryland.gov or by accessing the Maryland Department of the Environment, Environmental Boards webpage.
- D. The Licensee certifies real property interest in the contiguous upland.
- E. The issuance of this permit is not a validation or authorization by the Department for any of the existing structures depicted on the plan sheets on the subject property that is not part of the authorized work description, nor does it relieve the Licensee of the obligation to resolve any existing noncompliant structures and activities within tidal wetlands.
- F. The Licensee acknowledges that this authorization is based on current water depths that are existing and indicated on the attached plan sheet. This License proposes no dredging and this license provides no justification or assurances for future dredging. All dredging projects will be evaluated on the biological and physical characteristics of the site at the time an application is made.
- G. The Licensee shall obtain an approved sediment and erosion control plan from the local soil conservation district when the area disturbed is greater than 5000 square feet or 100 cubic yards of fill.
- H. The Licensee shall ensure that a copy of this License, including the approved plans, is available at the site until the authorized work is complete.
- I. The Licensee shall make every reasonable effort to design and construct the structure or perform the activity authorized in this License in a manner which minimizes adverse impacts on natural resource values, including water quality, plants, wildlife, plant and wildlife habitat, and on historic property values.
- J. The Secretary of the Environment may suspend or revoke a License if the Secretary finds that the Licensee has not complied with any condition or limitation in the License or has exceeded the scope of the authorized activities.

- K. The Licensee shall indemnify, defend and hold harmless the State of Maryland, its officials, officers, and employees from and against any and all liability, suits, claims and actions of whatever kind, caused by or arising from the work authorized by the License.
- L. The Licensee acknowledges that this License does not transfer any property interest in State tidal wetlands. This License allows the Licensee to use State tidal wetlands only for the structure or activity authorized herein and in no way limits the use of waters of the State by the public.
- M. This License is valid only for use by the Licensee. Permission for transfer of the License shall be obtained from the Water and Science Administration, Tidal Wetland Division. The terms and conditions of this License shall be binding on any assignee or successor in interest of the License.
- N. The Licensee shall allow representatives of the Maryland Department of the Environment to inspect the authorized activities.
- O. The Licensee shall notify the Maryland Department of the Environment, Water and Science Administration, Compliance Program at least 10 days before starting the authorized activities at (410) 537-3510.
- P. The Licensee shall complete construction of the activity authorized under this License by the expiration date, otherwise a new General License shall be obtained.
- Q. Upon completion of the authorized activities, the Licensee shall notify the Maryland Department of the Environment, Water and Science Administration, Compliance Program at (410) 537-3510.

By authority of the Secretary of the Environment:



Heather L. Nelson, Program Manager
Wetlands and Waterways Protection Program

26/03/2024

Date

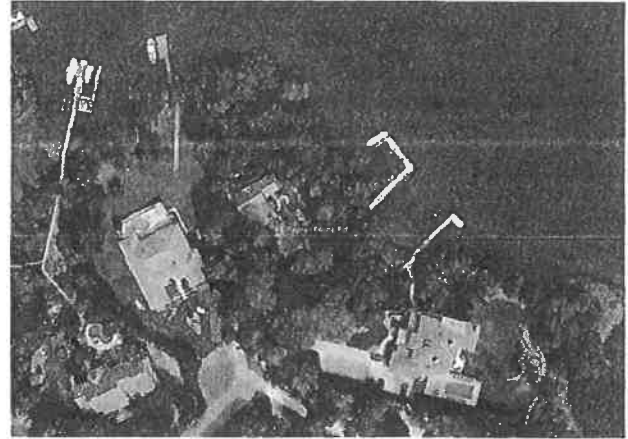
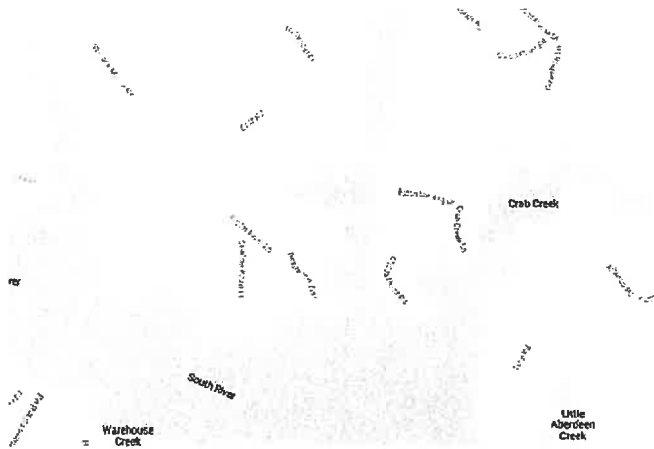
Tidal Wetland Reviewer: GS

Supervisor Concurrence: AA

Tracking Number: 202460232
Agency Interest Number: 70464

Enclosure: Plans dated **January 27, 2024**
cc: WSA Inspection & Compliance Program

VICINITY MAP AND AERIAL PHOTO




PROPERTY OWNERS WITHIN 300'

Bruce Plaxen
 46 Poplar Point Rd
 Edgewater, MD 21037

John Lee Jacobs
 49 Poplar Point Rd
 Edgewater, MD 21037

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 202460232
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GS

| FOR PERMIT USE ONLY | OWNER | PROPOSED CONSTRUCTION |
|--|---|--|
|  <p>RICK'S Marine Permits & Services 1160 Indian Landing Road Millersville, MD 21108 renee.norris@comcast.net</p> | <p>Barry Gosnell 48 Poplar Point Rd Edgewater, MD 21037 AAC/Church Creek 2624-9004-9139 1/27/2024</p> | <p>Replace in-kind 6 pier piles. Remove 4 attached piles. Remove 3 mooring piles. Install 6 piles. After-the-fact approval for PWC lift. Install 10' x 20' boat lift.</p> |
| PAGE 4 OF 5 | All construction water access. | All measurements shall be field verified by contractor. |

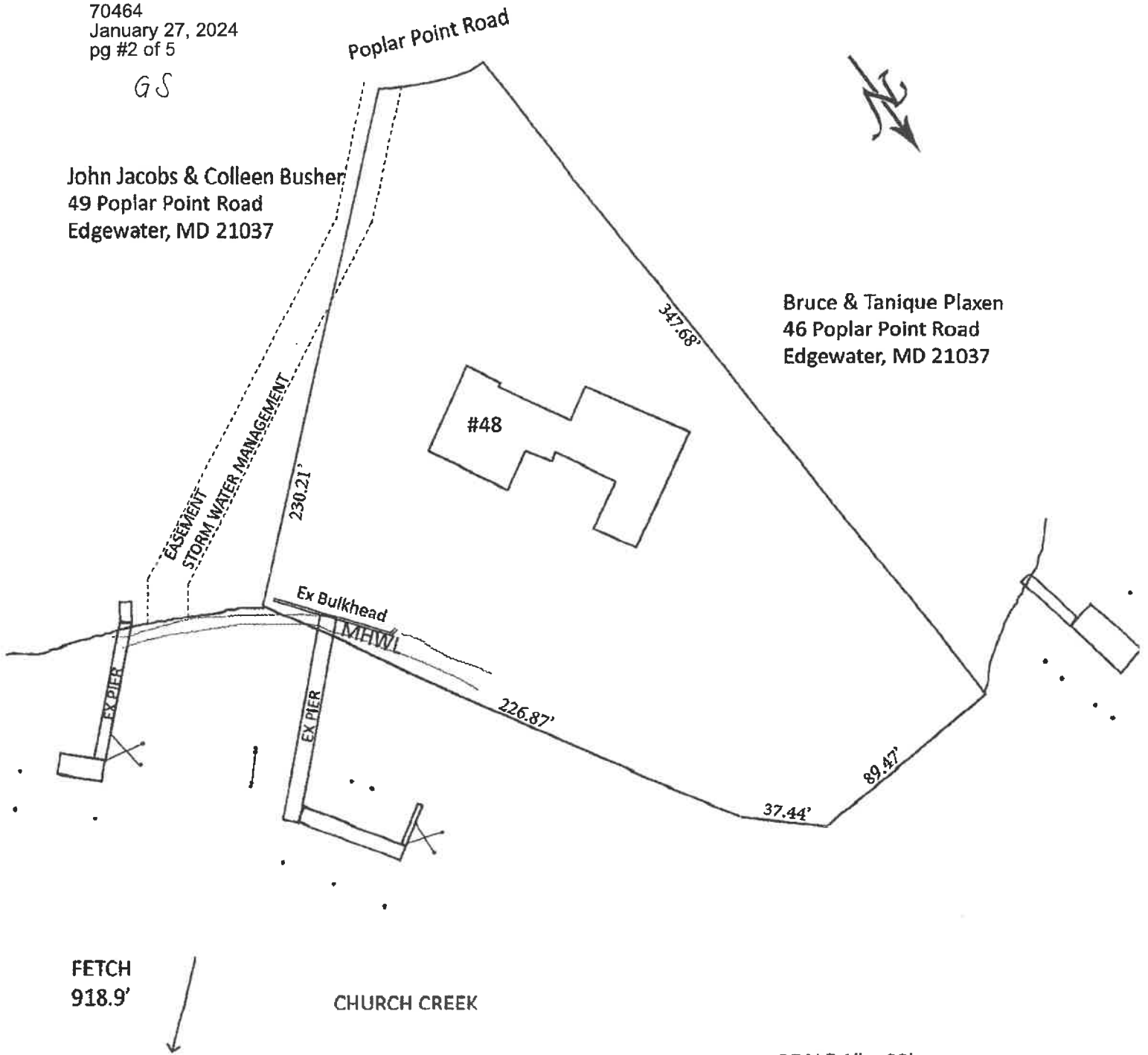
EXISTING CONDITIONS

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GS

John Jacobs & Colleen Busher
49 Poplar Point Road
Edgewater, MD 21037

Bruce & Tanique Plaxen
46 Poplar Point Road
Edgewater, MD 21037



FOR PERMIT USE ONLY

OWNER

PROPOSED CONSTRUCTION

 **Marine Permits & Services**
1160 Indian Landing Road
Millersville, MD 21108
renee.norris@comcast.net

Barry Gosnell
48 Poplar Point Road
Edgewater, MD 21037
AAC/2624-9004-9139
Church Creek/South River
1/27/2024

Replace in-kind 6 pier piles.
Remove 4 attached piles.
Remove 3 mooring piles.
Install 6 piles.
After-the-fact approval for PWC lift.
Install 10' x 20' boat lift.

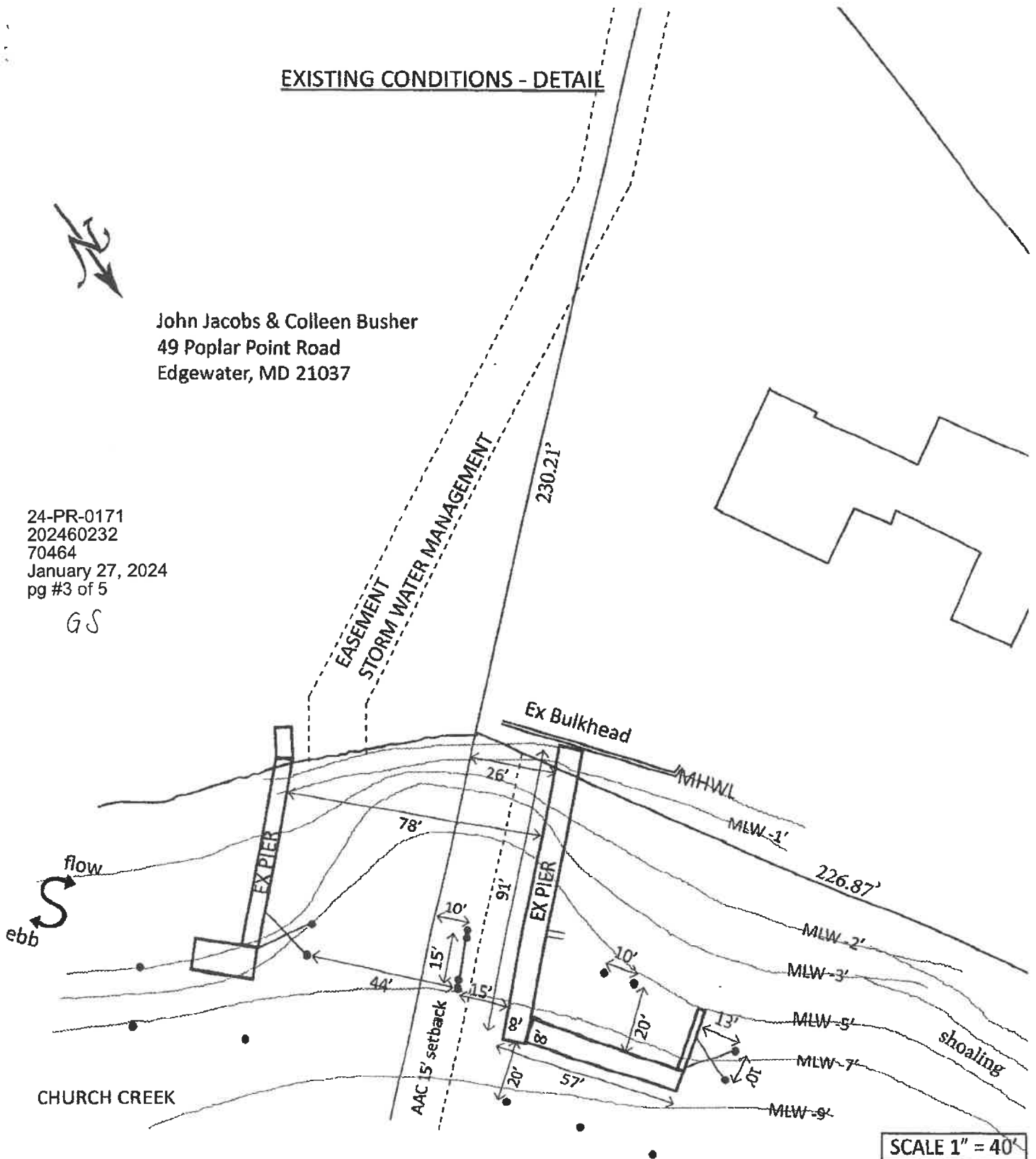
EXISTING CONDITIONS - DETAIL




John Jacobs & Colleen Busher
 49 Poplar Point Road
 Edgewater, MD 21037

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GS



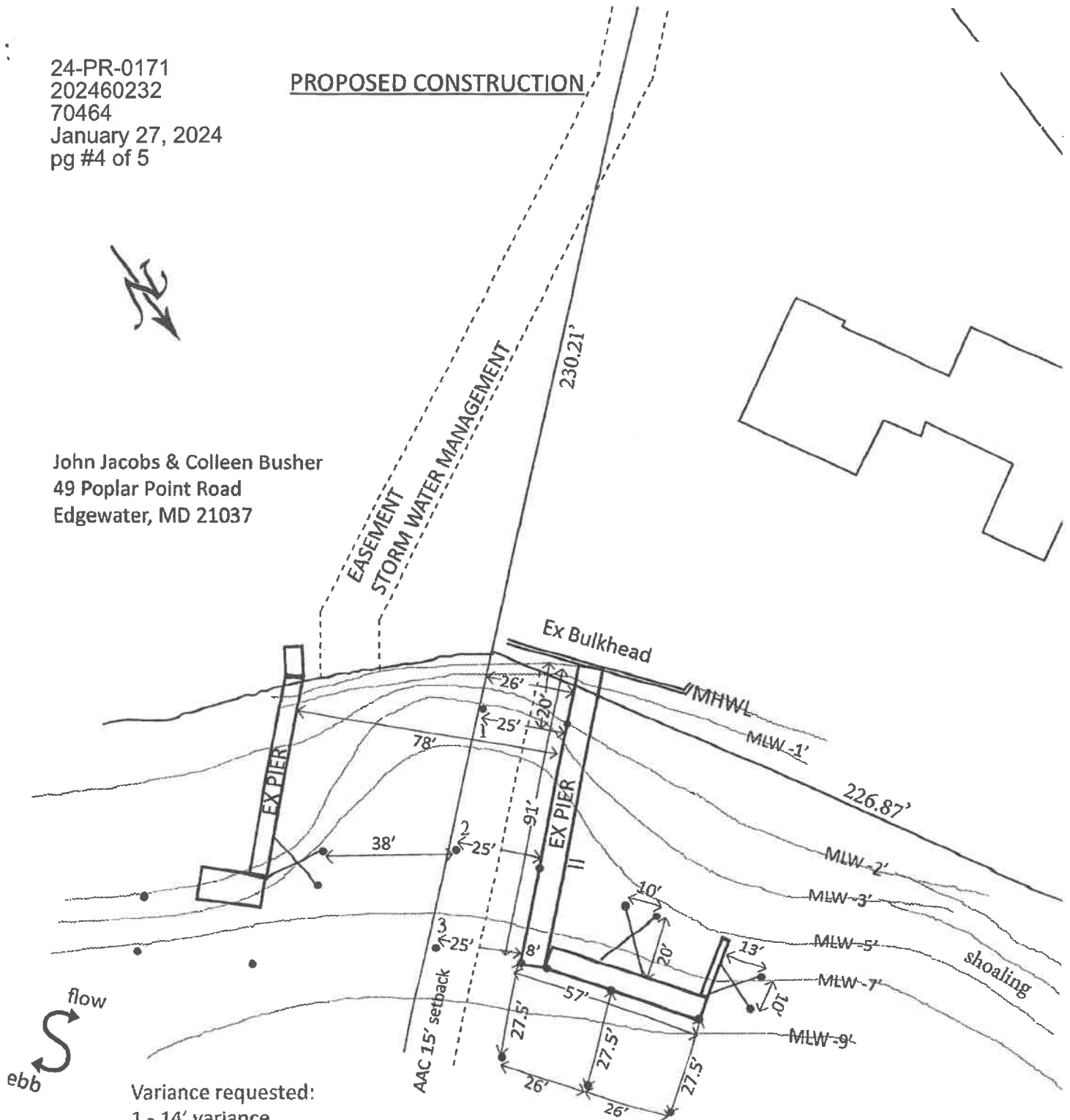
SCALE 1" = 40'

| FOR PERMIT USE ONLY | OWNER | PROPOSED CONSTRUCTION |
|---|--|--|
|  <p>RKN Marine Permits & Services 1160 Indian Landing Road Millersville, MD 21108 renee.norris@comcast.net</p> | <p>Barry Gosnell 48 Poplar Point Road Edgewater, MD 21037 AAC/2624-9004-9139 Church Creek/South River 1/27/2024</p> | <p>Replace in-kind 6 pier piles. Remove 4 attached piles. Remove 3 mooring piles. Install 6 piles. After-the-fact approval for PWC lift. Install 10' x 20' boat lift.</p> |

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PROPOSED CONSTRUCTION

John Jacobs & Colleen Busher
 49 Poplar Point Road
 Edgewater, MD 21037



Variance requested:
 1 - 14' variance
 2 - 13' variance
 3 - 12' variance

NOTE: NO MAPPED SAV BEDS.

SCALE 1" = 40'

FOR PERMIT USE ONLY

KKN
 Marine Permits & Services
 1160 Indian Landing Road
 Millersville, MD 21108
 renee.norris@comcast.net

OWNER

Barry Gosnell
 48 Poplar Point Road
 Edgewater, MD 21037
 AAC/2624-9004-9139
 Church Creek/South River
 1/27/2024

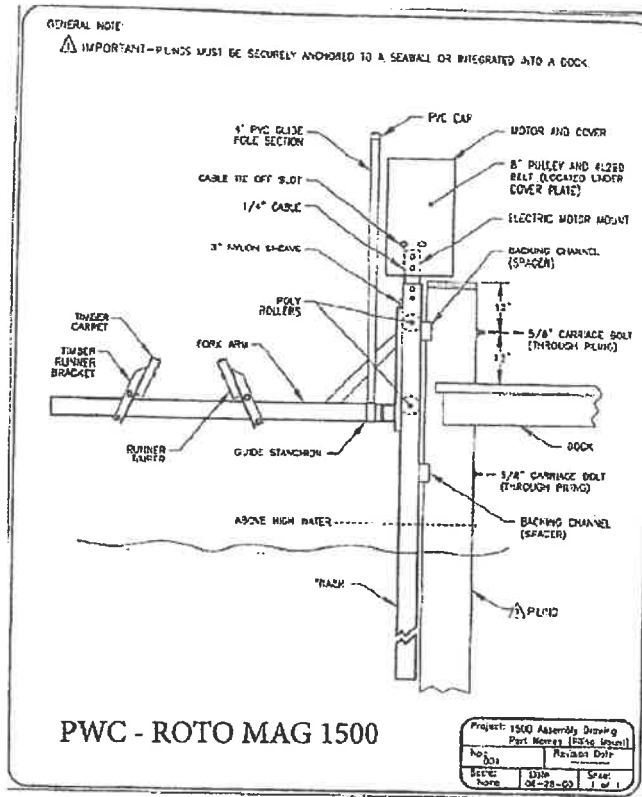
PROPOSED CONSTRUCTION

Replace in-kind 6 pier piles.
 Remove 4 attached piles.
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 Install 10' x 20' boat lift.

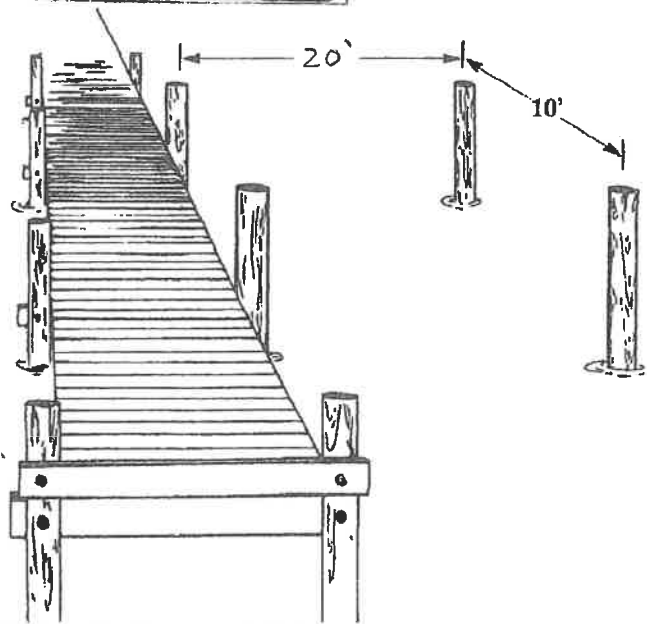
PWC AND BOAT LIFT CONSTRUCTION PLANS

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GS



MAGNUM BOAT LIFTS



ALL MEASUREMENTS ARE CENTER TO CENTER

| FOR PERMIT USE ONLY | OWNER | PROPOSED CONSTRUCTION |
|---|--|--|
|  <p>RKN Marine Permits & Services 1160 Indian Landing Road Millersville, MD 21108 renee.norris@comcast.net</p> | <p>Barry Gosnell 48 Poplar Point Rd Edgewater, MD 21037 AAC/Church Creek 2624-9004-9139 1/27/2024</p> | <p>Replace in-kind 6 pier piles. Remove 4 attached piles. Remove 3 mooring piles. Install 6 piles. After-the-fact approval for PWC lift. Install 10' x 20' boat lift.</p> |
| <p>PAGE 5 OF 5</p> | <p>All construction water access.</p> | <p>All measurements shall be field verified by contractor.</p> |











License #24-PR-0171 (Gosnell, B) ready to signpdf

Final Audit Report

2024-03-26

| | |
|-----------------|--|
| Created: | 2024-03-22 |
| By: | GUy Stefanelli (guy.stefanelli@maryland.gov) |
| Status: | Signed |
| Transaction ID: | CBJCHBCAABAAG84FleyvMpWzqy1cKLyjDCjHOj821Y_ |

"License #24-PR-0171 (Gosnell, B) ready to signpdf" History

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-  Document emailed to twdwestpermit.mde@maryland.gov for signature
2024-03-22 - 6:00:03 PM GMT
-  Email viewed by twdwestpermit.mde@maryland.gov
2024-03-22 - 7:17:28 PM GMT
-  Signer twdwestpermit.mde@maryland.gov entered name at signing as HH
2024-03-22 - 7:22:37 PM GMT
-  Document e-signed by HH (twdwestpermit.mde@maryland.gov)
Signature Date: 2024-03-22 - 7:22:39 PM GMT - Time Source: server
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2024-03-22 - 7:22:41 PM GMT
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2024-03-22 - 7:27:42 PM GMT
-  Signer wwppepermits.mde@maryland.gov entered name at signing as Heather L. Nelson
2024-03-26 - 7:53:55 PM GMT
-  Document e-signed by Heather L. Nelson (wwppepermits.mde@maryland.gov)
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