

## GAMMA ENGINEERING

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March 12, 2023

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

### Letter of Explanation:

126 Cresston Road, Lots 86, 87 & 88, Cresston 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..*
  3. *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 the variance.*
  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) alter 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 paid.*
    - (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.



**PROPOSED PROJECT  
2 HOUSE SITES CONSISTING  
OF 3 LOTS AND 2 LOTS**

**THESE 5 HOUSE SITES  
ARE ON 2 LOTS EACH**

**THIS IS ONLY  
HOME SITE ON 4 LOTS**

**THIS SITE CONSISTS  
OF LOTS OTHER THAN  
STANDARD 25' WIDE**

**EXHIBIT A - INDICATING  
TYPICAL NUMBER OF LOTS  
FOR EACH HOUSE SITE**

**CONCLUSION: TYPICAL SITE CONSISTS OF 2 OR 3 LOTS  
ON CRESSTON AND SHORE ROADS**



**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**

**2018 VEGETATIVE ESTABLISHMENT**

1. FOLLOW-UP AND MAINTENANCE OF VEGETATIVE ESTABLISHMENT SHALL BE THE RESPONSIBILITY OF THE DEVELOPER. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE SELECTION OF ALL PLANTING MATERIALS, SPECIES, PLANTING DATES, PLANTING METHODS, AND ALL OTHER VEGETATIVE ESTABLISHMENT ACTIVITIES. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE SELECTION OF ALL PLANTING MATERIALS, SPECIES, PLANTING DATES, PLANTING METHODS, AND ALL OTHER VEGETATIVE ESTABLISHMENT ACTIVITIES.

2. A SOIL TEST SHALL BE PERFORMED AND APPLIED PERIODICALLY TO THE VEGETATIVE ESTABLISHMENT. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE SELECTION OF ALL PLANTING MATERIALS, SPECIES, PLANTING DATES, PLANTING METHODS, AND ALL OTHER VEGETATIVE ESTABLISHMENT ACTIVITIES.

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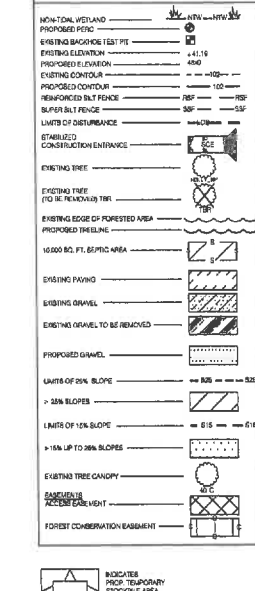
**STANDARD RESPONSIBILITY NOTES**

1. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE SELECTION OF ALL PLANTING MATERIALS, SPECIES, PLANTING DATES, PLANTING METHODS, AND ALL OTHER VEGETATIVE ESTABLISHMENT ACTIVITIES.

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**LEGEND**



**STORMWATER MANAGEMENT CONCEPT PLAN**



**LOT COVERAGE TABLE**

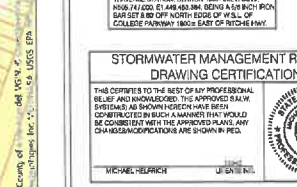
USE	NATURAL	LOT	COVERAGE	SOFT	LOT	COVERAGE
CONCRETE	100	100	100	100	100	100
GRAVEL	100	100	100	100	100	100
WOOD	100	100	100	100	100	100
ASPHALT	100	100	100	100	100	100

**BENCHMARK DATA**

1. THE COORDINATES, BEARINGS, AND ELEVATIONS OF ALL BENCHMARKS SHOWN ON THIS PLAN SHALL BE THE RESPONSIBILITY OF THE DEVELOPER. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE SELECTION OF ALL BENCHMARKS, BEARINGS, AND ELEVATIONS.

**STORMWATER MANAGEMENT RECORD DRAINAGE CERTIFICATION**

THIS CERTIFICATE IS THE PROPERTY OF THE PROFESSIONAL ENGINEER AND SHALL BE RETURNED TO HIM OR HER UPON THE COMPLETION OF THE PROJECT. IT IS NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF THE PROFESSIONAL ENGINEER.



**OVERALL ONSITE AREA TABULATION**

USE	AREA (SQ. FT.)	PERCENTAGE
ASPHALT	100	100
GRAVEL	100	100
WOOD	100	100
CONCRETE	100	100

**VARIANCES/MODIFICATIONS**

1. CRITICAL AREA VARIANCE TO ALLOW DISTURBANCE OF 1-15% OF THE TOTAL AREA TO BE 2.5% OF THE TOTAL AREA.

**SEQUENCE OF CONSTRUCTION**

1. OBTAIN ALL NECESSARY PERMITS, CONDUCT A PRELIMINARY CONSTRUCTION MEETING, AND NOTIFY THE ANNE ARUNDEL COUNTY DEPARTMENT OF INSPECTION AND PERMITS AT LEAST 14 DAYS PRIOR TO THE START OF CONSTRUCTION.

**GENERAL NOTES**

1. THE PROPOSED SITE IS A 1.180 SQ. FT. LOT. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE SELECTION OF ALL PLANTING MATERIALS, SPECIES, PLANTING DATES, PLANTING METHODS, AND ALL OTHER VEGETATIVE ESTABLISHMENT ACTIVITIES.

**TAX MAP**



**VICINITY MAP**



**STORMWATER MANAGEMENT NOTE**

1. THE PROPOSED SITE IS A 1.180 SQ. FT. LOT. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE SELECTION OF ALL PLANTING MATERIALS, SPECIES, PLANTING DATES, PLANTING METHODS, AND ALL OTHER VEGETATIVE ESTABLISHMENT ACTIVITIES.

**STORMWATER MANAGEMENT SUMMARY TABLE**

MINIMUM SIZE (FEET)	SYMBOL	VOLUME REQUIRED (CUBIC FEET)	SWP PRACTICE	NOTES
18"	18"	221	SWP PRACTICE A AND B	
24"	24"	158	SWP PRACTICE A AND B	
30"	30"	117	ADEQUATE OUTFALL	

**CONSULTANTS CERTIFICATION**

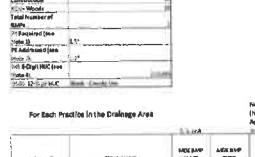
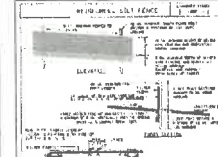
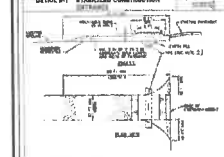
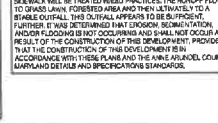
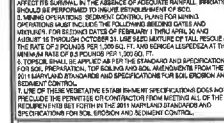
I, the undersigned, being a duly licensed Professional Engineer in the State of Maryland, do hereby certify that the above information is true and correct to the best of my knowledge and belief.

**OUTFALL STATEMENT**

THIS IS TO CERTIFY THAT A FIELD INVESTIGATION OF THE PROPERTY BOUNDARIES FOR CONVEYANCE HAS BEEN PERFORMED. THE FIELD INVESTIGATION FOUND THAT THE STORMWATER RUNOFF GENERATED FROM THE PROPOSED DEVELOPMENT SHALL BE DISCHARGED TO THE ADJACENT WATERWAY IN ACCORDANCE WITH THE ANNE ARUNDEL COUNTY MARSHLAND DETAIL AND SPECIFICATION STANDARDS.

**STORMWATER MANAGEMENT DATA FORM 11-1-2020**

Project Title for Each Drainage Area	Area (sq. ft.)	Runoff Coefficient	Runoff Volume (cu. ft.)
Area 1	100	0.5	50
Area 2	100	0.5	50



**REVISIONS**

No.	Description	Approved By	Date
1			

**REVISIONS**

No.	Description	Approved By	Date
1			

**REVISIONS**

No.	Description	Approved By	Date
1			

**GAMMA ENGINEERING**

1903 WEST STREET SUITE A ANNAPOLIS, MD 21401

PHONE (410) 826-1070 FAX (410) 826-8119 EMAIL: GLETT@GAMMA.COM

**OWNER:**

CHESSIE HOMES (LOTS 87 AND 88) 230 HARLEM ROAD PASADENA, MD 21122

AND KELSEY LYNN LENOIR (LOT 89) 290 HARLEM ROAD PASADENA, MD 21122

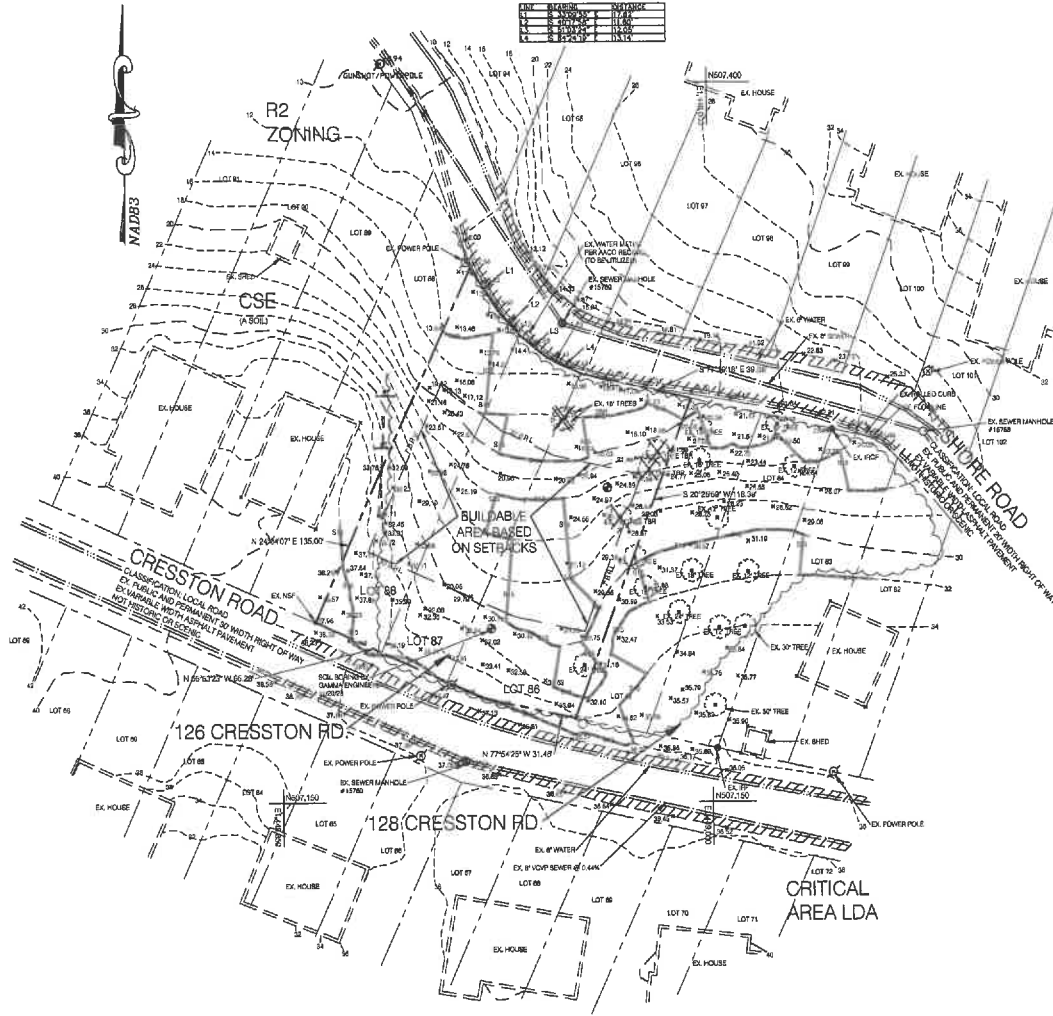
**GRADING PERMIT PLANS**

COVER SHEET, GENERAL NOTES, OUTFALL STATEMENT, MAPS AND AREA TABULATION

124 CRESSSTON ROAD, ARNOLD (LOTS 87 AND 88) AND 128 CRESSSTON ROAD, ARNOLD (LOT 88) CRESSSTON PARK

TAX MAP 324, GRID 11, PARCEL 134, TAX ACCT # 9326 9025 3426 (LOTS 87 AND 88) AND 3225 6025 342 (LOT 86) 3RD DISTRICT, ANNE ARUNDEL COUNTY, MD, ZONING R-2

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




### EXISTING CONDITIONS AND RESOURCES PLAN


SCALE: 1" = 20'

**CERTIFICATION NOTE**

NOTE: THE ENVIRONMENTAL RESOURCES SHOWN ON THIS RESOURCES MAP HAVE BEEN FIELD VERIFIED.

  
MICHEL H. HELFRICH

3/1/24  
DATE


  
3/1/24  
DATE

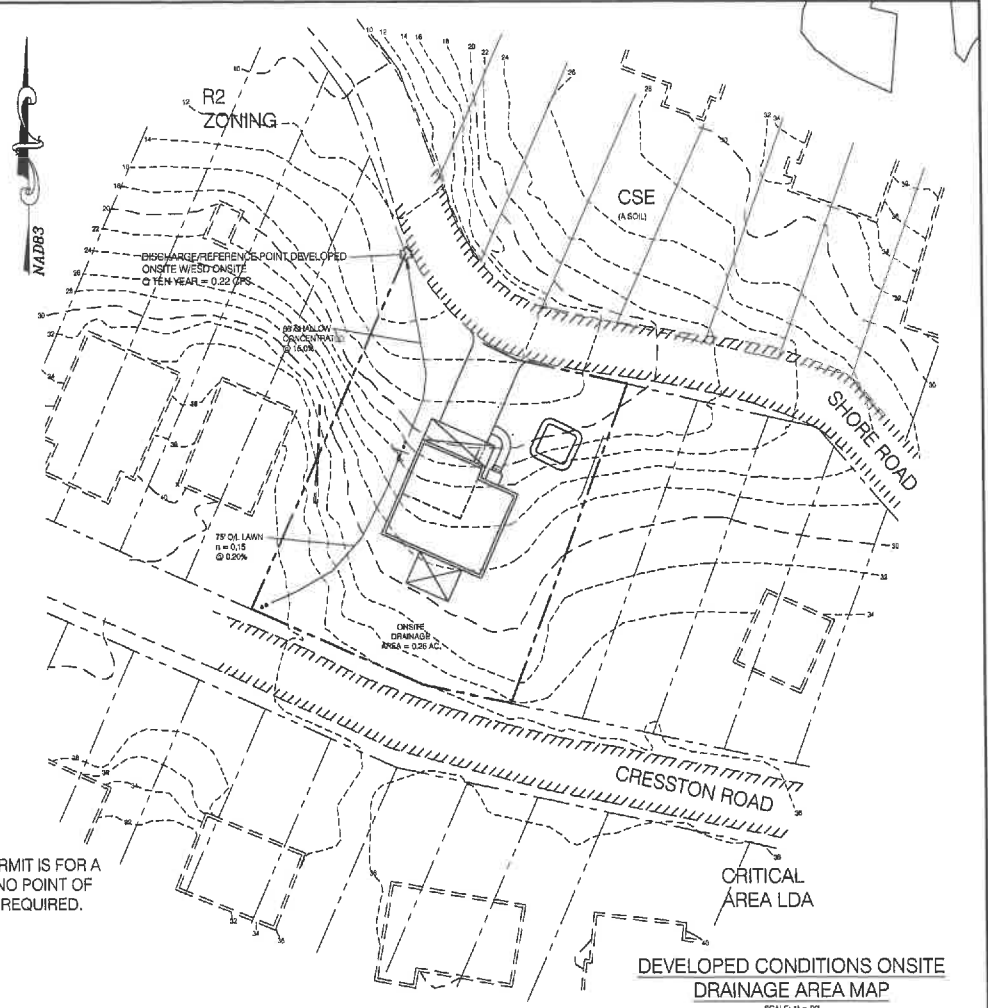
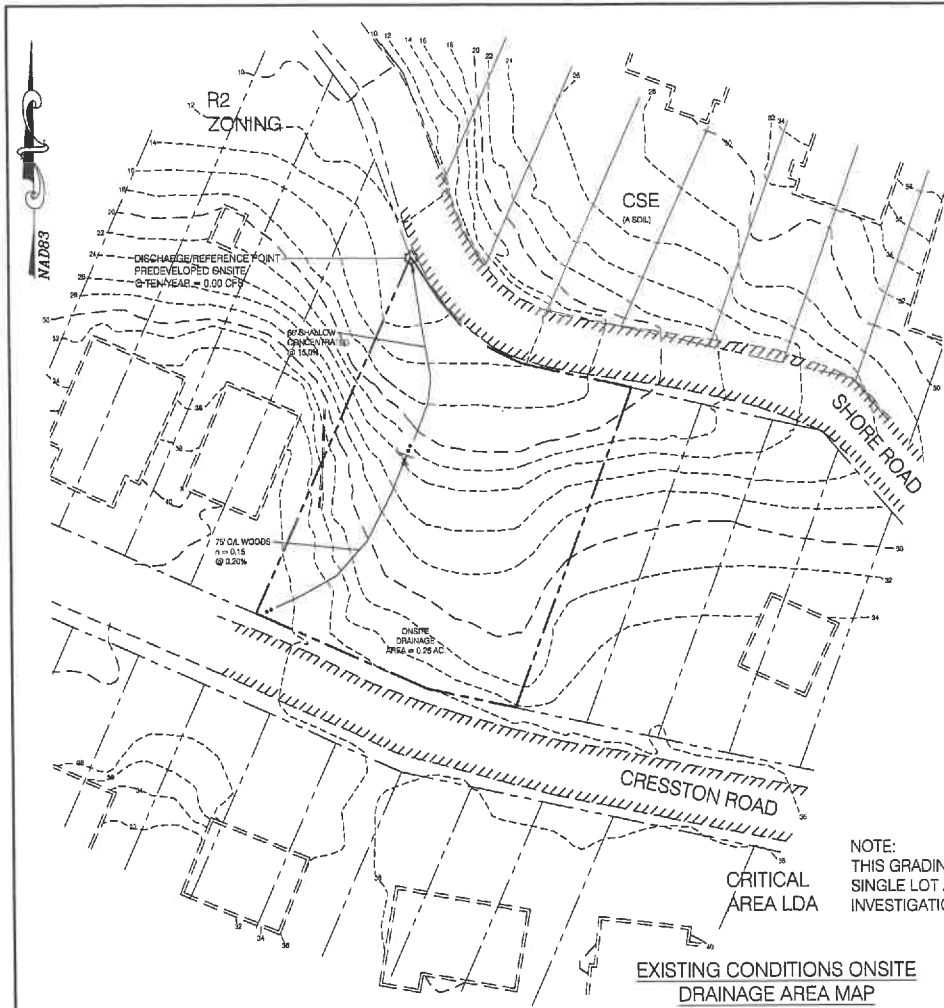
**SOIL TYPE TABLE**

DESCRIPTION	PERCENTAGE	SOIL TYPE
TYPE 1 - ULLUSTON, WEST AND WESTERLYALIA UGHS 15 - 25% SL OPEN	0.59	A

- ZONING NOTES:**
1. THE CRITICAL AREA CLASSIFICATION IS LDA.
  2. THE ZONING IS R2 FOR THE ENTIRE AREA.
  3. SITE IS NOT WITHIN ANY BOG DRAINAGE OR IMPACT AREA.
  4. SITE IS NOT IN THE BUFFER MODIFICATION AREA.

G0201

<b>GRADING PERMIT PLANS</b>	<b>EXISTING CONDITIONS AND RESOURCE PLAN</b>												
<b>OWNER/APPLICANT:</b> <small>CESSE HOMES &amp; LOTS #7 AND #8)            280 HARELEM ROAD            HAGERMAN, MD 21222            NELSIE LYNN LEMON (LOT #6)            280 HARELEM ROAD            HAGERMAN, MD 21222</small>	<b>124 CRESSSTON ROAD, ARNOLD (LOTS 87 AND 88) AND 126 CRESSSTON ROAD, ARNOLD (LOT 86)            CRESSSTON PARK            (LOTS 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100)            TAX MAP 39H, GRID 11, PARCEL 134, TAX ACCT # 2226 906 5406            3RD DISTRICT, ANNE ARUNDEL COUNTY, MD, ZONING R2            SCALE: AS SHOWN     DATE: 3/1/2024     SHEET 2 OF 6</b>												
<b>ENGINEERING:</b> <small>303 WEST STREET SUITE A            ANNAPOLIS, MD 21401            PHONE: (410) 835-1070            FAX: (410) 837-9070            EMAIL: INFO@PROFDIG.COM</small>	 <small>ME: MICHEL H. HELFRICH - PRESENT            SEAN H. HOFFMAN - PRESENT            PROFESSIONAL LICENSE #20424            LYNCH H. HELFRICH - CERTIFY THAT            THESE DOCUMENTS WERE PREPARED            BY OR APPROVED BY ME AND THAT            I AM A LICENSED PROFESSIONAL            ENGINEER UNDER THE laws of the            STATE OF MARYLAND AND I HAVE            MADE NECESSARY DATE SIGNATURE</small>												
<b>REVISIONS</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	NO.	DATE	DESCRIPTION										
NO.	DATE	DESCRIPTION											



NOTE:  
THIS GRADING PERMIT IS FOR A  
SINGLE LOT AND NO POINT OF  
INVESTIGATION IS REQUIRED.

**EXISTING CONDITIONS  
DRAINAGE AREA SUMMARY**

AREA NO.	AREA AC.	RUN
1	0.26	52

DRAINAGE AREA = 0.26 AC.

SEGMENT	DESCRIPTION	RUN
A-B	75' OIL WOODS @ 20%	0.113
B-C	66' SHALLOW CONCENTRATED @ 15.1%	0.003
TOTAL		0.116

RON = 52  
 TC = 6.113 HOURS  
 Q ONE YEAR = 0.00 CFS  
 Q TEN YEAR = 0.00 CFS

**KEY**

- DRAINAGE AREA LIMIT
- SOIL TYPE DIVIDE
- FLOW PATH
- PHOTO LOCATION
- REFERENCE POINT
- CROSS SECTION

**DEVELOPED CONDITIONS  
DRAINAGE AREA SUMMARY**

AREA NO.	AREA AC.	RUN
1	0.26	57

DRAINAGE AREA = 0.26 AC.

SEGMENT	DESCRIPTION	RUN
A-B	75' OIL LAWN @ 20%	0.002
B-C	66' SHALLOW CONCENTRATED @ 15.1%	0.003
TOTAL		0.005

RON = 57  
 TC = 0.005 HOURS  
 Q ONE YEAR = 0.00 CFS  
 Q TEN YEAR = 0.04 CFS

**DEVELOPED CONDITIONS  
WITH ADJUSTED CN  
DRAINAGE AREA SUMMARY**

AREA NO.	AREA AC.	RUN
1	0.26	52

DRAINAGE AREA = 0.26 AC.

SEGMENT	DESCRIPTION	RUN
A-B	75' OIL LAWN @ 20%	0.113
B-C	66' SHALLOW CONCENTRATED @ 16.1%	0.003
TOTAL		0.088

RON = 52  
 TC = 6.088 HOURS  
 Q ONE YEAR = 0.00 CFS  
 Q TEN YEAR = 0.22 CFS

**REVISIONS**

No.	Description	Approved By	Date



**GAMMA ENGINEERING**  
 1203 WEST STREET SUITE A  
 ANNAPOLIS, MD 21401  
 PHONE (410) 626-1070  
 FAX (410) 297-9819  
 EMAIL: BLUPT@CLOUD.COM

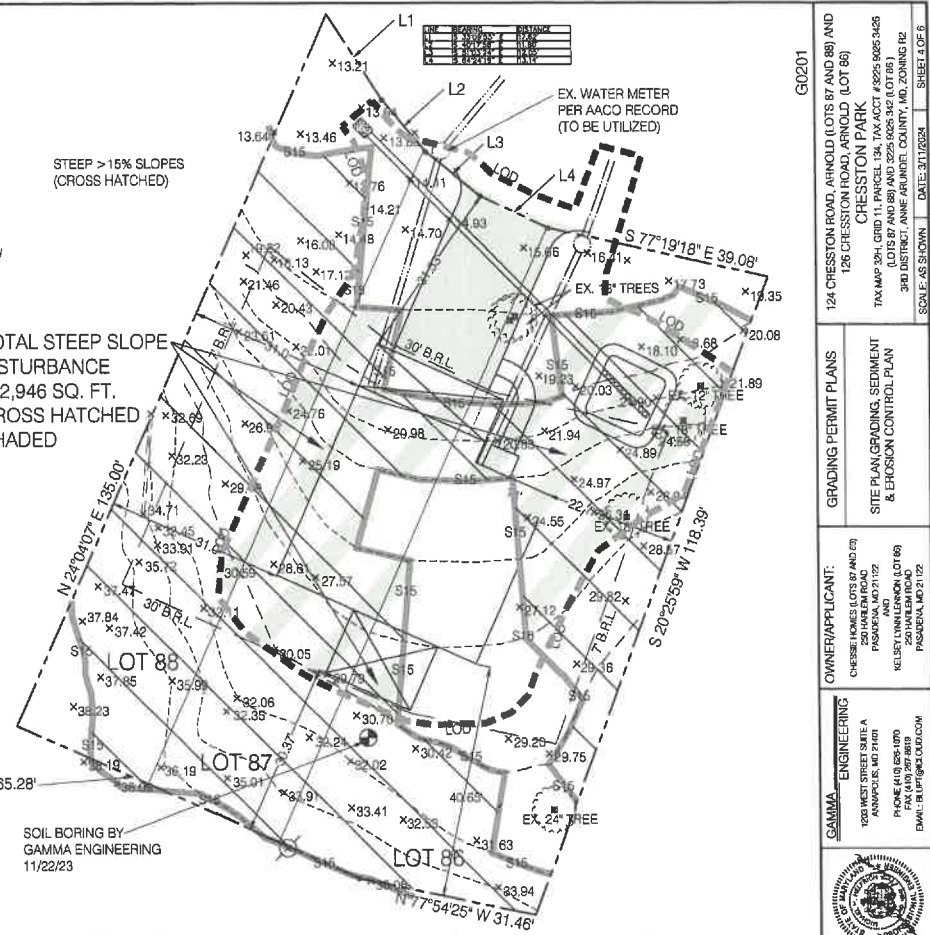
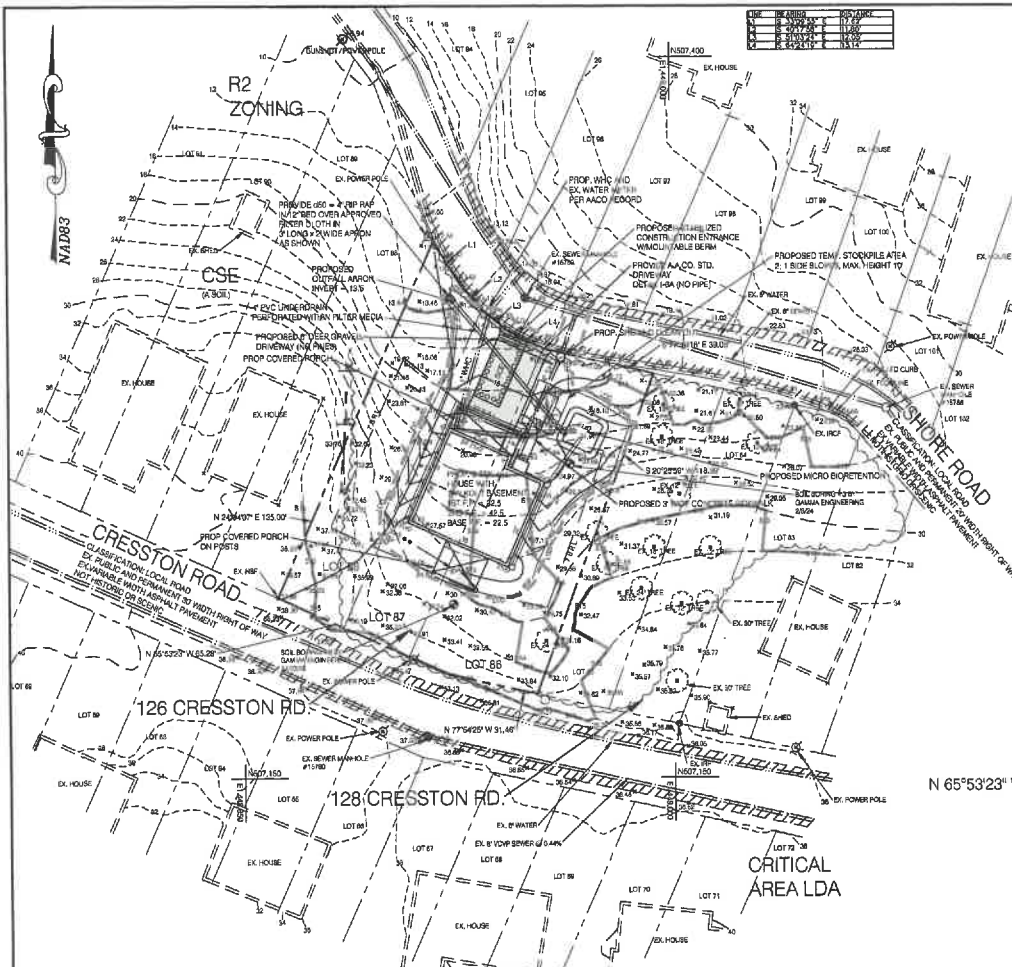
CHESSIE HOMES (LOTS 87 AND 88)  
 250 HARLEM ROAD  
 PASADENA, MD 21122  
 AND  
 KELSEY LYNN LENNON (LOT 88)  
 258 HARLEM ROAD  
 PASADENA, MD 21122

**GRADING PERMIT PLANS**

DRAINAGE AREA  
MAPS

124 CRESSTON ROAD, ARNOLD (LOTS 87 AND 88) AND  
 126 CRESSTON ROAD, ARNOLD (LOT 88)  
**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: 2/11/2024 SHEET 3 OF 6





PLAN  
SCALE: 1" = 20'

**NOTE:**  
THIS SHEET IS PROVIDED  
FOR VARIANCE REVIEW

**EXISTING CONDITIONS PLAN WITH OUTLINE OF  
HOUSE, HOUSE PLACEMENT, LOD, SLOPE  
DISTURBANCE AND IMPROVEMENTS**

**VARIANCE NOTES**

1. SITE IS R2, LDA CRITICAL AREA.
2. VARIANCES REQUESTED ARE:
  - A) CRITICAL AREA VARIANCE - TO ALLOW DISTURBANCE OF STEEP SLOPES (> 15%) - (ARTICLE 17-8-201 (a)) = 2,946 SQ. FT.
  - 3. SITE AREA IS 11,180.28 SQ. FT.

**MODIFICATION NOTES**

1. A MODIFICATION TO (ARTICLE 17-8-403) TO DISTURB > 25% SLOPES AND BUFFER TO 25% SLOPES IS TO BE REQUESTED.

**STORMWATER MANAGEMENT NOTE**

1. 100% OF THE ESD STORMWATER MANAGEMENT REQUIREMENTS WILL BE MET WITH MICRO BIORETENTION AND NON ROOFTOP DISCONNECTS.

SCALE: 1" = 10'

**OVERALL ONSITE AREA TABULATION**

1. THE TOTAL AREA OF SITE IS 11,180.28 SQ. FT. OR 0.28 AC.
2. THE LIMITS OF DISTURBANCE AREA IS 5,472 SQ. FT. OR 0.12 AC.
3. AREA MECHANICALLY STABILIZED IS 2,320 SQ. FT. OR 0.05 AC.
4. AREA VEGETATIVELY STABILIZED IS 3,152 SQ. FT. OR 0.07 AC.
5. EX. SITE FORESTED AREA = 10,462 SQ. FT.
6. 472 SQ. FT. OF FORESTED AREA TO BE CLEARED.
6. THE LOT IMPERVIOUS TABULATION IN SQ. FT. IS:

	EX. TO BE REMOVED	PROPOSED	TOTAL
HOUSE	0	1,312	1,312
COV. PORCH	0	384	384
DRIVEWAY	0	556	556
SIDEWALK	0	66	66
TOTAL	0	2,320	2,320
	0% OF SITE		20.8% OF SITE

G0201

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

OWNER/APPLICANT: CHESTER HOMES (LOTS 87 AND 88) 250 HAVEN ROAD PASADENA, MD 21122 HELLYN LYNNE (LOT 86) 3800 DISTRICT ANNE ARUNDEL COUNTY, MD 21038 PASADENA, MD 21122

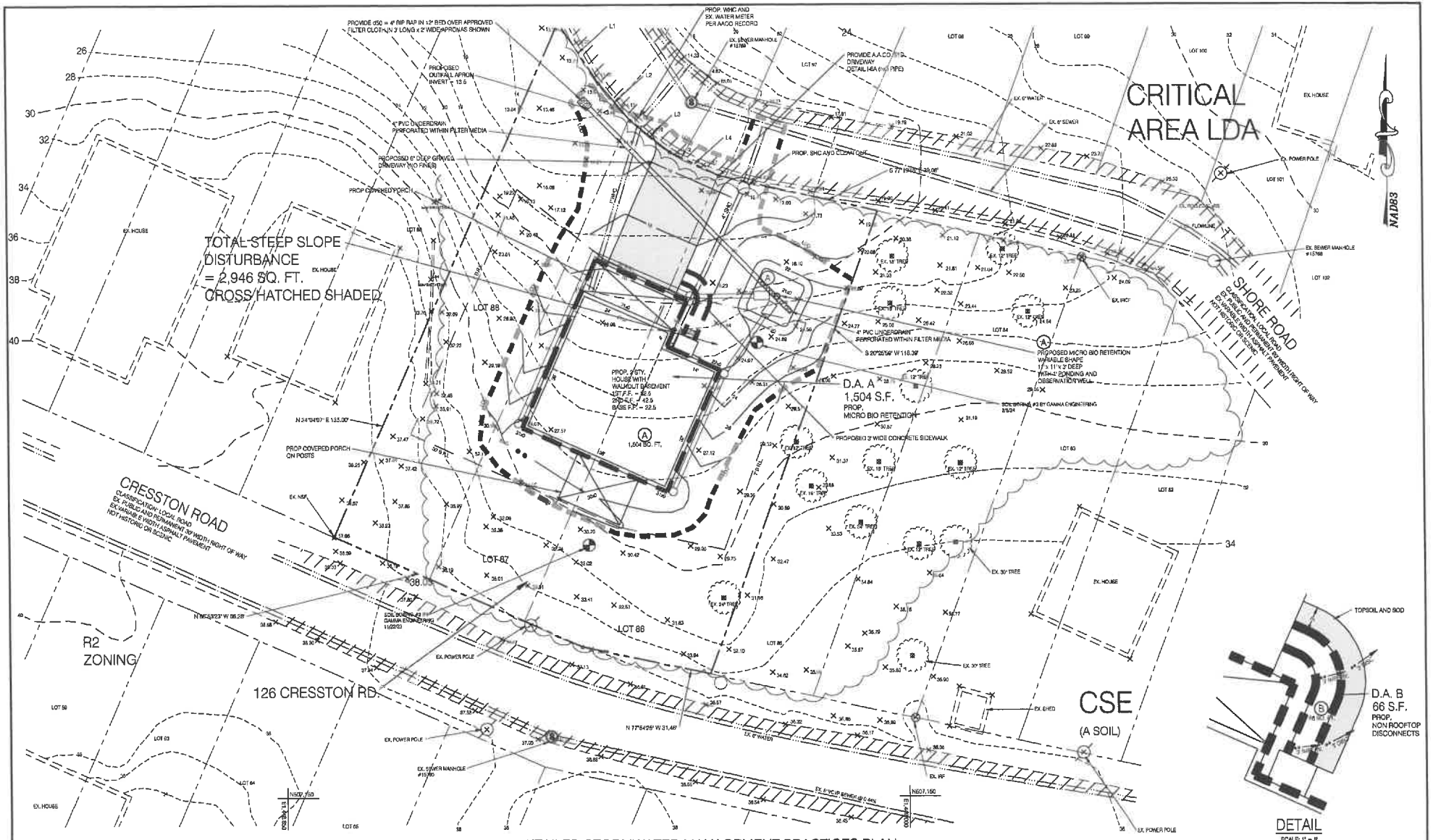
OWNER/APPLICANT: GAMMA ENGINEERING 1200 WEST STREET SUITE A ANNAPOLIS, MD 21401 PHONE: (410) 626-1970 EMAIL: BRUN@GAMMAENGINEERING.COM

DATE: 3/11/2024

SHEET 4 OF 6

REVISIONS

No.	Description	By	Date



**DETAILED STORMWATER MANAGEMENT PRACTICES PLAN**

SCALE: 1" = 10'

**DETAIL**

SCALE: 1" = 8'

G0201

REVISIONS			
NO.	Description	Approved By	Date



**GAMMA ENGINEERING**  
 1203 WEST STREET SUITE A  
 ANNAPOLIS, MD 21401  
 PHONE (410) 826-1070  
 FAX (410) 287-8819  
 EMAIL: GLE@GEMEN.COM

**OWNER/APPLICANT:**  
 CHESSE HOMES (LOTS 87 AND 88)  
 250 HARLEM ROAD  
 PASADENA, MD 21122  
 AND  
 KEISEY LYNN LENNON (LOT 89)  
 250 HARLEM ROAD  
 PASADENA, MD 21122

**GRADING PERMIT PLANS**  
  
**STORMWATER MANAGEMENT PLAN**

124 CRESSTON ROAD, ARNOLD (LOTS 87 AND 88) AND  
 126 CRESSTON ROAD, ARNOLD (LOT 89)  
**CRESSTON PARK**  
 TAX MAP 324, GRID 11, PARCEL 184, TAX ACCT #3226 9026 3426  
 (LOTS 87 AND 88) AND 3225 942 (LOT 86)  
 SRD DISTRICT, ANNE ARUNDEL COUNTY, MD, ZONING R2  
 SCALE: AS SHOWN DATE: 3/11/2024 SHEET 5 OF 6



CRITICAL AREA REPORT

FOR

CRESSTON PARK  
LOTS 86, 87 & 88

PREPARED BY:

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

MARCH 2024

## GAMMA ENGINEERING

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1203 West Street, Suite A  
Annapolis, MD 21401  
(410)626-1070 Fax (410)267-8619  
Email [blupt@jcloud.com](mailto:blupt@jcloud.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**

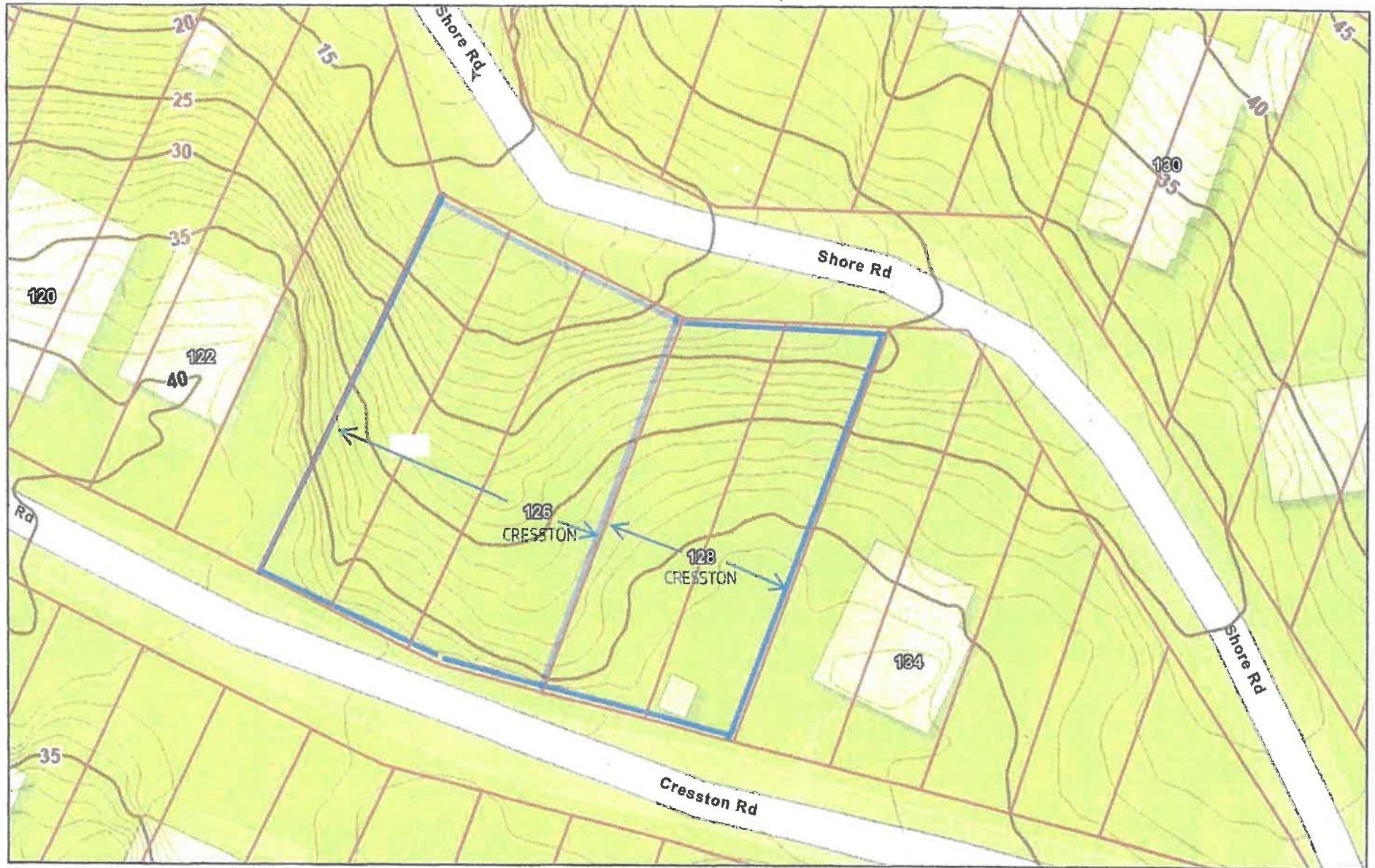
The enclosed site plan shows, if applicable, all of the following: existing vegetated area and all proposed structures. The clearing proposed is as designated, no wetlands disturbance is proposed.

**V. See enclosed Notification of Project application.**

Sincerely,

Michael Helfrich, P.E.

# Anne Arundel County Engineering Record Drawing and Monuments



2/2/2024, 12:37:57 PM

Topo\_2020

Intermediate



Parcels



Index



Address Points

1:564

0 0 0.01 0.01 mi

0 0.01 0.01 0.02 km

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Anne Arundel County

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

PROJECT NOTIFICATION APPLICATION

**GENERAL PROJECT INFORMATION**

Jurisdiction: Anne Arundel County

Date: 1-15-24

Tax Map #	Parcel #	Block #	Lot #	Section
32H	134	11	86, 87, 88	—

**FOR RESUBMITTAL ONLY**

- Corrections
- Redesign
- No Change
- Non-Critical Area

\*Complete Only Page 1  
 General Project Information

Tax ID: 3225-9025-3425  
 3225-9025-3426

Project Name (site name, subdivision name, or other) | Cresson Park, lots 86, 87 + 88

Project location/Address | 126 Cresson Rd.

City | Arnold | Zip | 21012

Local case number |

Applicant: Last name | Helfrich | First name | Michael

Company | Gamma Engineering

**Application Type (check all that apply):**

- |  |  |
|--|--|
| Building Permit <input type="checkbox"/>           | Variance <input checked="" type="checkbox"/> |
| Buffer Management Plan <input type="checkbox"/>    | Rezoning <input type="checkbox"/>            |
| Conditional Use <input type="checkbox"/>           | Site Plan <input type="checkbox"/>           |
| Consistency Report <input type="checkbox"/>        | Special Exception <input type="checkbox"/>   |
| Disturbance > 5,000 sq ft <input type="checkbox"/> | Subdivision <input type="checkbox"/>         |
| Grading Permit <input type="checkbox"/>            | Other <input type="checkbox"/>               |

**Local Jurisdiction Contact Information:**

Last name | AACo Zoning Administration Section | First name |

Phone # | 410-222-7437 | Response from Commission Required By | TBD

Fax # | | Hearing date | TBD



**SPECIFIC PROJECT INFORMATION**

Describe Proposed use of project site:

*Disturb Steep Slopes in the Critical Area to Construct a SFD*

Intra-Family Transfer  Yes  
 Grandfathered Lot

Growth Allocation  Yes  
 Buffer Exemption Area

**Project Type (check all that apply)**

Commercial   
 Consistency Report   
 Industrial   
 Institutional   
 Mixed Use   
 Other

Recreational   
 Redevelopment   
 Residential   
 Shore Erosion Control   
 Water-Dependent Facility

**SITE INVENTORY (Enter acres or square feet)**

	Acres	Sq Ft
IDA Area	0	0
LDA Area	0.26	11,180.28
RCA Area	0	0
Total Area	0	0

Total Disturbed Area  Acres  Sq Ft

# of Lots Created

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees	0.24	10,462	Existing Lot Coverage	0	0
Created Forest/Woodland/Trees	0	0	New Lot Coverage	0.053	2,320
Removed Forest/Woodland/Trees	0.13	5,771	Removed Lot Coverage	0	0
			Total Lot Coverage	0.053	2,320

**VARIANCE INFORMATION (Check all that apply)**

	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

Structure

Acc. Structure Addition   
 Barn   
 Deck   
 Dwelling   
 Dwelling Addition   
 Garage   
 Gazebo   
 Patio   
 Pool   
 Shed   
 Other



## OFFICE OF PLANNING AND ZONING

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

DATE OF MEETING: 1/31/2024

P&Z STAFF: Sara Anzelmo, Kelly Krinetz, Habtamu Zeleke

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**

**Due Date**  
01/28/2024  
**Assigned to**  
Habtmu Zeleke  
**Action By**  
Habtmu Zeleke  
**End Time**

**Assigned Date**  
01/29/2024  
**Status**  
Complete w/ Comments  
**Status Date**  
01/29/2024  
**Hours Spent**  
0.0

**Billable**  
No

**Overtime**  
No

**Comments**  
Variance comments  
2024-0005-P 126 Cresson RD  
1. A soil boring is required per practice. The suitability, and siting of proposed SWM 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.  
2. Given the disturbance to sensitive resources including the stream 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, shall be located a minimum of 10 feet horizontally from any public sanitary sewer or house connection.  
6. 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.  
7. The site to ensure that any existing downstream flooding including nuisance flooding issues will be exacerbated by the proposed development.  
8. The design should evaluate and implement site planning alternatives in accordance with 18-16-201.  
9. Additional information is required to show how the site meets 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.

**Time Tracking Start Date**  
**Display E-mail Address In ACA**  
No

**Est. Completion Date**  
**Display Comment in ACA**

**In Possession Time (hrs)**  
**Comment Display In ACA**

- All ACA Users
- Record Creator
- Licensed Professional
- Contact
- Owner

**Estimated Hours**  
0.0

**Action**  
Updated

**Workflow Calendar**

Task Specific Information

**Review Notes**  
**Reviewer Email**

**Reviewer Name**

**Reviewer Phone Number**