

# 2024-0049-V

Menu Cancel Help

Task Details OPZ Critical Area Team

**Assigned Date**

03/18/2024

**Assigned to**

Kelly Krinetz

**Current Status**

Complete w/ Comments

**Action By**

Kelly Krinetz

**Comments**

This site consists of two 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.

When characterizing the development pattern of the neighborhood, the applicant references the number of lots that have been combined as a single site when it would be more appropriate to reference the square footage of the sites that serve a single dwelling as there are sites that are comparable to the merging of all 5 lots.

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.

**End Time**

**Billable**

No

**Time Tracking Start Date**

**In Possession Time (hrs)**

**Estimated Hours**

0.0

**Comment Display in ACA**

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

**Due Date**

04/08/2024

**Assigned to Department**

OPZ Critical Area

**Status Date**

03/19/2024

**Overtime**

No

**Start Time**

**Hours Spent**

0.0

**Action by Department**

OPZ Critical Area

**Est. Completion Date**

- Display E-mail Address in ACA
- Display Comment in ACA

Task Specific Information

**Expiration Date**

**Reviewer Phone Number**

**Review Notes**

**Reviewer Email**

**Reviewer Name**

# 2024-0040-V

Menu Cancel Help

Task Details OPZ Critical Area Team

**Assigned Date**

02/27/2024

**Assigned to**

Kelly Krinetz

**Current Status**

Complete w/ Comments

**Action By**

Kelly Krinetz

**Comments**

This site consists of 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.

When characterizing the development pattern of the neighborhood, the applicant references the number of lots that have been combined as a single site when it would be more appropriate to reference the square footage of the sites that serve a single dwelling as there are sites that are comparable to the merging of all 5 lots.

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.

**End Time**

**Billable**

No

**Time Tracking Start Date**

In Possession Time (hrs)

**Estimated Hours**

0.0

**Comment Display in ACA**

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

**Due Date**

03/19/2024

**Assigned to Department**

OPZ Critical Area

**Status Date**

03/12/2024

**Overtime**

No

**Start Time**

**Hours Spent**

0.0

**Action by Department**

OPZ Critical Area

**Est. Completion Date**

- Display E-mail Address in ACA
- Display Comment in ACA

Task Specific Information

**Expiration Date**

Reviewer Phone Number

**Review Notes**

Reviewer Email

**Reviewer Name**

# 2024-0049-V

Task Details I and P Engineering

**Assigned Date**

03/21/2024

**Assigned to**

Habtamu Zeleke

**Current Status**

Complete w/ Comments

**Action By**

Habtamu Zeleke

**Comments**

1. Per 6.1.4 (G) of the County Stormwater Practices and Procedures manual, SWM facilities shall not be located in areas that are off-limits to development, e.g., natural resource areas and their buffers. The Micro bio is proposed within steep slopes and it is not allowed as proposed.
2. Please review existing vegetation (or lack thereof) within the steep slopes; opportunities to supplement vegetation or replanting buffers with native vegetation should be reviewed and provided to enhance water quality.
3. The proposed underdrain pipe underneath the driveway should be revised - this office is concerned with the potential maintenance issues a homeowner would face given the driveway and utility connections. How is the maintenance handled if the underdrain is clogged or needs to be replaced?
4. Please review potential conflicts (horizontal and vertical) between the utility house connections and the micro bio underdrain.
5. The proposed house seems to be positioned closer to the steep slopes and shoreline compared to the location of the houses on neighboring properties. Please review the footprint and location of the proposed improvements (driveway, and dwelling) to further minimize impacts to steep slopes and the steep slope buffer.
6. Please provide soil boring on the facility footprint to review the suitability and sting of the proposed facility(ies). Describe the site's hydrologic, and topographic characteristics and provide recommendations on the feasibility of various BMPs.
7. Given the disturbance to sensitive resources including the steep slopes, the proposed design adversely affects the water quality within the Critical Area. Please clarify.
8. The proposed Micro-Bio retention is sited on a steep slope, which will affect the functionality of the practice. Please relocate it.
9. Show and label slopes for the proposed non-rooftop disconnection. The disconnections should be located on gradual slopes (?5%) and shall be directed away from buildings to both maintain and sustain condition to sheet flow.
10. Besides the SWM proposed to ESDv and WQv, is there additional environmental mitigation, reforestation preparation, and improved water quality?
11. Based on the above comments and proposed site design, this office does not support this request.

**End Time**

**Billable**

No

**Time Tracking Start Date**

**In Possession Time (hrs)**

**Estimated Hours**

0.0

**Comment Display in ACA**

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

**Due Date**

04/08/2024

**Assigned to Department**

Engineering

**Status Date**

04/09/2024

**Overtime**

No

**Start Time**

**Hours Spent**

0.0

**Action by Department**

Engineering

**Est. Completion Date**

Display E-mail Address in ACA

Display Comment in ACA

Task Specific Information

**Expiration Date**  
**Reviewer Phone Number**

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

**Reviewer Name**

# 2024-0040-V

Menu Cancel Help

Task Details I and P Engineering

**Assigned Date**

02/27/2024

**Assigned to**

Habtamu Zeleke

**Current Status**

Complete w/ Comments

**Action By**

Habtamu Zeleke

**Comments**

Variance comments

2024-0040-V 124 Cresston 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.
2. The proposed dry wells are sited on a steep slope, which may affect the functionality of the practice.
3. Given the disturbance to sensitive resources including the steep slopes, the proposed design adversely affects the water quality within the Critical Area. Please clarify.
4. Besides the SWM proposed to ESDv and WQv, there is additional environmental mitigation, reforestation preparation, and improved water quality.
5. Based on the provided information, this office does not support this request.

**End Time**

**Billable**

No

**Time Tracking Start Date**

**In Possession Time (hrs)**

**Estimated Hours**

0.0

**Comment Display in ACA**

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

**Due Date**

03/19/2024

**Assigned to Department**

Engineering

**Status Date**

03/22/2024

**Overtime**

No

**Start Time**

**Hours Spent**

0.0

**Action by Department**

Engineering

**Est. Completion Date**

- Display E-mail Address in ACA
- Display Comment in ACA

Task Specific Information

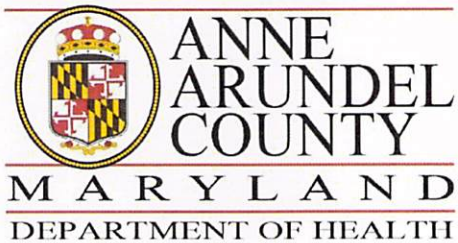
**Expiration Date**

**Reviewer Phone Number**

**Review Notes**

**Reviewer Email**

**Reviewer Name**



J. Howard Beard Health Services Building  
3 Harry S. Truman Parkway  
Annapolis, Maryland 21401  
Phone: 410-222-7095 Fax: 410-222-7294  
Maryland Relay (TTY): 711  
www.aahealth.org

**Tonii Gedin, RN, DNP**  
Health Officer

**MEMORANDUM**

TO: Sadé Medina, Zoning Applications  
Planning and Zoning Department, MS-6301

FROM: Brian Chew, Program Manager  
Bureau of Environmental Health

BC

DATE: March 21, 2024

RE: Lynn Kelsey Lennon  
126 Cresston Road  
Arnold, MD 21012

NUMBER: 2024-0049-V

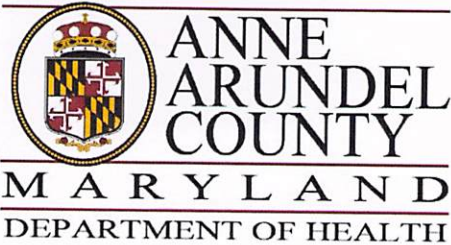
SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to allow a dwelling with less setbacks than required and with disturbance to slopes of 15% or greater.

The Health Department has reviewed the above-referenced request. The property is served by public water and sewer facilities. The Health Department has no objection to the above-referenced request.

If you have further questions or comments, please contact Brian Chew at 410-222-7413.

cc: Sterling Seay




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Annapolis, Maryland 21401  
Phone: 410-222-7095 Fax: 410-222-7294  
Maryland Relay (TTY): 711  
www.aahealth.org

**Tonii Gedin, RN, DNP**  
**Health Officer**

**MEMORANDUM**

TO: Sadé Medina, Zoning Applications  
Planning and Zoning Department, MS-6301

FROM: Brian Chew, Program Manager  
Bureau of Environmental Health 

DATE: March 12, 2024

RE: Chessie Homes, LLC  
124 Cresston Road  
Arnold, MD 21012

NUMBER: 2024-0040-V

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to allow a dwelling and associated facilities with less setbacks than required and with disturbance to slopes of 15% or greater.

The Health Department has reviewed the above-referenced request. The property is served by public water and sewer facilities. The Health Department has no objection to the above-referenced request.

If you have further questions or comments, please contact Brian Chew at 410-222-7413.

cc: Sterling Seay

Wes Moore  
Governor

Aruna Miller  
Lt. Governor



Erik Fisher  
Chair

Katherine Charbonneau  
Executive Director

**STATE OF MARYLAND  
CRITICAL AREA COMMISSION  
CHESAPEAKE AND ATLANTIC COASTAL BAYS**

April 23, 2024

Mr. Rob Konowal  
Anne Arundel County Office of Planning and Zoning  
2664 Riva Road  
Annapolis, MD 21401

Re: Lennon Variance  
Local case numbers 2024-0040-V and 2024-0049-V

Dear Mr. Konowal,

Thank you for providing information regarding the above-referenced variance applications to disturb steep slopes and construct two single family dwellings with less setbacks than required. The applicant proposes to construct a single family dwelling on Lots 84 & 85 located at 128 Cresston Rd and a second single family dwelling on Lots 86 - 88 located at 126 Cresston Rd in Arnold MD. All Lots are part of the Cresston Park subdivision and are located entirely within the Critical Area on lands designated Limited Development Area (LDA). All lots are currently undeveloped, forested, and are largely encumbered by slopes ranging from 18% to 35%.

**128 Cresston Rd (Case 2024-0040-V)**

Encompassing Lots 84 & 85, this site is approximately 5,906.52 square feet (0.14 acres). Of which, 5,397 sf is forested. The proposed single family dwelling would result in 4,385 sf of overall disturbance, the removal of 3,906 sf of existing forest (72.4% of the site), and 1,974 sf of new lot coverage (33.4% of the site). The proposed lot coverage is within the amount allowed for a parcel of this size (25% plus 500 sf for lots created before 12/1/1985). Due to steep slopes on the site, the applicant is requesting a variance to disturb 1,371 sf of steep slopes per Article 17-8-201(a) in order to construct the single family dwelling.

**126 Cresston Rd (Case 2024-0049-V)**

Encompassing Lots 86 - 88, this site is approximately 11,180.28 sf (0.26 acres). Of which, 10,462 sf is forested. The proposed single family dwelling would result in 5,472 sf of overall disturbance, the removal of 5,771 sf of existing forest (55.2% of the site), and 2,320 sf of new lot coverage (20.8% of the site). The proposed lot coverage is within the amount allowed for a parcel of this size (31.25% for lots created before 12/1/1985). Due to steep slopes on the site, the applicant is requesting a variance to disturb 2,946 sf of steep slopes per Article 17-8-201(a) in order to construct the single family dwelling. For stormwater management, non rooftop disconnects and a micro bioretention structure are proposed.

### **Critical Area Commission Comments**

We recognize the pre-file comments from the Engineering Division indicated that the proposed micro bioretention at 126 Cresston Road may not be feasible due to the steep slopes, and the proposed gravel driveway may impact water quality. Alternative designs should be explored in order to provide adequate stormwater management for the site. Please note, should the Hearing Officer grant these variances, the applicant must provide mitigation at the ratio required by Anne Arundel County Code. Please also note the applicant must provide additional mitigation at a ratio of 1:1 for the area of forest to be cleared.

Thank you for the opportunity to provide comments. Please include this letter in your file and submit it as part of the record for this variance. Also, please notify the Commission in writing the date the decision is made in this case. If you have any questions, please feel free to contact me at 410-260-3479 or [kathryn.hayden@maryland.gov](mailto:kathryn.hayden@maryland.gov).

Sincerely,

A handwritten signature in cursive script that reads "Kathryn Hayden".

Kathryn Hayden  
Natural Resources Planner

Files: AA 0071-24 and AA 0079-24

CC: Charlotte Shearin, Critical Area Commission  
Jennifer Esposito, Critical Area Commission





Jennifer Esposito -DNR- <jennifer.esposito@maryland.gov>

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## CAC Comments: 2024-0040-V: Chessie Homes (AA 56-24)

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**Jennifer Esposito** <jennifer.esposito@maryland.gov>  
To: Sadé Medina <pzmedi22@aacounty.org>  
Cc: Charlotte Shearin -DNR- <charlotte.shearin@maryland.gov>

Thu, Mar 7, 2024 at 12:49 PM

Good afternoon,

The Critical Area Commission has reviewed the following variance and provide the following comments:

- 2024-0040-V: Chessie Homes, LLC. (AA 56-24); In order for this variance to be approved, the Administrative Hearing Officer must determine that each and every one of the Critical Area variance standards have been met, including unwarranted hardship and that the request would not adversely affect water quality or adversely impact fish, wildlife, or plant habitat within the Critical Area. Should it be determined that this request meets all of the Critical Area variance standards, appropriate mitigation is required.

Thank you for the opportunity to provide comments. If you have any questions or concerns, please let me know.



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 twitter\_logo.jpg

[dnr.maryland.gov/criticalarea](http://dnr.maryland.gov/criticalarea)

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### *Jennifer Esposito*

Critical Area Commission for the  
Chesapeake & Atlantic Coastal Bays  
1804 West Street, Suite 100  
Annapolis, MD 21401

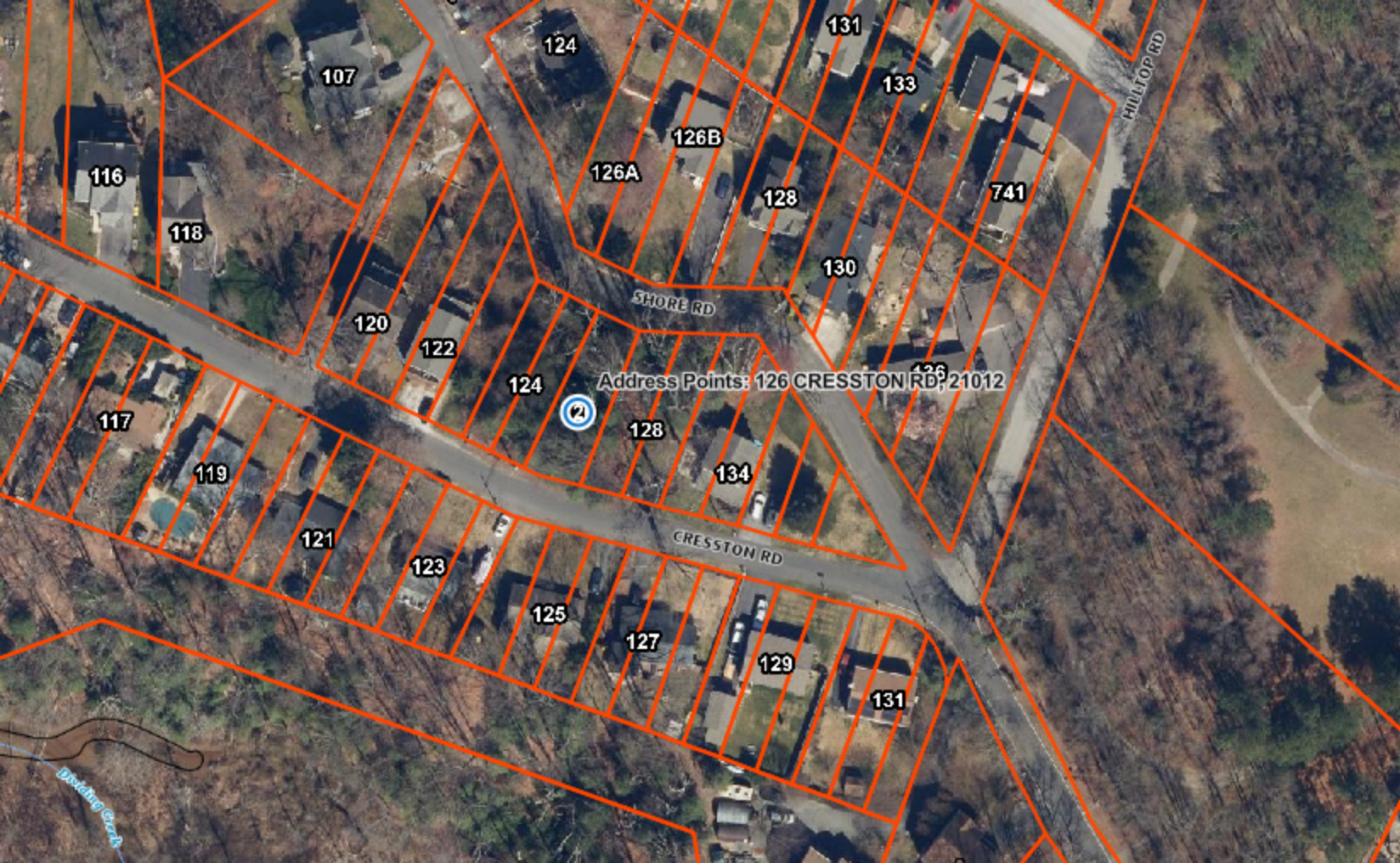
Office: 410-260-3468

(In office: Mon., Wed., Friday)

Cell: 443-569-1361

(Teleworking: Tues., Thurs.)

[jennifer.esposito@maryland.gov](mailto:jennifer.esposito@maryland.gov)



124

131

107

133

116

126A

126B

128

741

118

130

120

122

SHORE RD

Address Points: 126 CRESSTON RD; 21012

124



128

117

134

119

121

123

CRESSTON RD

125

127

129

131

DISHING CREEK