

AGENDA ITEMS

Topic, Presenter

- ✓ **Introductions**
- ✓ **Storm Runoff Project - Erik Michelsen**
 - o **At Citizens Environmental Commission meeting**
 - o **Only update is that the stormwater wetland work is ready to go, just waiting for a window in the contractor's schedule. I will update the group as soon as we have that.**
- ✓ **Traffic Signal - MD 179 (Saint Margaret Rd) at Pleasant Plains Rd/Old Mill Bottom Rd**
 - o **Nothing new to report**
- ✓ **Kingsberry Drive Sightline Concerns, Nestor Flores**
 - o **New setup implemented last week**
 - o **Need to coordinate with community representatives to discuss outreach**
- ✓ **Alternative 1 Implementation, Nestor Flores**
 - o **No Update**
- ✓ **Capital Projects - Bureau of Engineering**
 - o **Ponding/freezing near Cherry Road**
 - o **Relocation of poles in S-curve**
- ✓ **May meeting falls on Blue Angels Day (5/22). Do we want to reschedule?**
- ✓ **Thank you**



Pleasant Plains Community Meeting Minutes March 27, 2024

Nestor Flores - Chief, Traffic Engineering Division, AACO
Robert Fernandez - DPW Engineering, AACO
Patricia Lynch - Vice President, Broadneck Council
Colin Rees - Burley Creek
John Joynes - President, Beechwood on the Burley Community Association
Stephan von Schilcher - President, Beechwood on the Burley Community Association
Mary Ann Zaruba - Whitehall Beach President
Nicky Deasey - Hidden Point
Anne Cobb - Hidden Point
Ellen Weiss - Millvale Rd

Please see Meeting Agenda for talking points - any additional information is below.

Nestor Flores

- Informed group of loss of maintenance shop due to fire - work is on hold for most things until we have a plan.

Robert Fernandez

- **Ponding/freezing Cherry Rd** -Consists of a single inlet with a culvert and an outfall. We are still negotiating with the offsite owner for the inlet storm drain easement. It's under their review. Last we heard their attorney is speaking to our office of law. I don't know of any problems. It's just in review. We follow up periodically. We just heard that news yesterday. Give it a week or 2, and we'll ask again. Regarding the status of the grading plans. Our engineer confirmed that he resubmitted the grading plans to the permit center today. I checked our system. I haven't seen them yet. I'm going to check in tomorrow to make sure that they're logged in and actively working on it. The plans were revised in response to minor comments.
We need those plans approved in order to get a grading permit. The construction for Erik Michelsen's project on the sod farm is slated for construction - he is waiting on more information from Underwood, the construction company. We need to have that project in place for ours to work because the existing ground is actually a little higher than the outlet elevation of our culvert and we did our set, our culvert as shallow as possible. The anticipated construction time we feel is still Spring. It could be later Spring, but we still think we can get it done. Erik's project is eminent. We have EVA engineering on board as our construction inspector. We have issued the PO and they are on board. We also have Pay Dirt LLC as our contractor. They are also under PO, so we have our team assembled and ready to go.
- **Relocation of poles in S-surve** -In addition to getting the plans reviewed and approved, the right-of-way plats are currently under Public Works Review. I am working on getting you a better status update at this time. They're reviewed by our team first, and then they go to the right-of-way department. They're reviewed there, and any comments that they have will usually go back and forth with the survey group who prepared the documents. After the easement documents, and right-of-way, documents are approved, then the deeds of easement and deeds of rights-of-way are prepared. Then it goes into appraisal, and then, after that starts the right-of- way and easement negotiation process. There are 7 properties. This part is probably going to be our critical path on this portion of the project. Regarding environmental permits, I have been involved in many conversations regarding trying to find 3 quarters of an acre of open space that we can plant for mitigation to the critical area disturbance. We spoke to Michael Day, the OPZ Environmental reviewer on Monday and he feels that we have a good chance of being able to pay a "fee in lieu" of replanting the trees. The issue is that if we plant on private property it has to be a perpetual easement and folks generally frown on that because you lose use of part of your land and obviously, waterfront land is very expensive. So, we feel that's the best way to go. Let's pay that fee. Our environmental consultant is preparing the critical area consistency report showing that we've tried everything we can. In addition to trying to plant single units, that is, trees and shrubs. A combination of a tree and a shrub gives you 200 square feet.

If you're trying to make up over 33,000 square feet, that's a lot of plantings, and it would be very, very difficult for us to find, albeit linearly, all of the public roads that we can actually squeeze all those planting units on, and at the end of the day we don't feel that it meets the letter of the law in that you really want to plant adjacent to existing forest. Paying a fee in lieu allows for the contribution or planting to an area that's already under county or State control which makes more sense than trying to spot several hundred individual planting units throughout the existing road network in this area. Our environmental reviewer agreed and that's what we're going to propose. It's going to cost money either way. If we try to plant on-site, which I don't believe we can meet the requirement, or we pay this fee in lieu, it can be contributed to a bank. We also have to worry about existing underground and overhead utilities and we have to get buy-in from the property that fronts wherever we're planting, even though it's public right of way. Not everyone wants trees or shrubs in front of their homes. There's also a wetland permit associated with the corridor improvement. It's eminent. We do have to again provide some mitigation. It's only 1,300 square feet. So we feel again, as does our environmental consultant, that a fee in lieu or banking is the way to go there. We should note something on that within a couple of weeks.

- Please see supplementary documents at the end of these meeting minutes.

Community Comments

Nicky Deasey - Who does the fine get paid to for the trees being paid for "in lieu of" planting? *Nestor responds that the money goes from a Capital Project fund to the General Fund.*

Nicky Deasey - We actually volunteered to have trees planted in our yard and we're one of the houses that it affects. *Robert asks how much of an area is it? We need nearly ¾'s of an acre. Nicky responds that they do have that amount of land and offered it to Debbie, but she needed to plant 13 trees and we volunteered to have all 13. Robert explains that there are 2 parts to the tree issue - critical area mitigation & roadside tree permits. The roadside tree permit is for the individual trees and we can plant for those - its 17 trees. However, that is totally separate from mitigation required for critical areas. So unless someone has 3 quarters of an acre that they're willing to give up and put in an easement in perpetuity, the smart thing to do here is to contribute to a critical area banking. And that's what the OPZ Environmental Review agreed with us on. And that's how our consultant is going to prepare the consistency report. He will prepare the report, offer an opinion, write a memo, and then that will be submitted to the critical area reviewer. We think that it's not going to have to go up to the Critical Area Commission because it's relatively minor and it's an infrastructure improvement.*

Mary Ann Zaruba - Is it possible to bank that to a specific tributary? We're concerned about public access coming to our area that could be similar to Sandy Point. I think that's really important that we work on that before we introduce more boat traffic. *Robert responds yes, that's what they're going to look at. They want it within the same tributary or drainage area.*

Colin Rees - I've had a chat with John Joynes about this, and I looked over the engineering drawings with him and I think there are some questions from those attending the Zoom Meeting. I wonder if it would be helpful...certainly for me, and possibly some others, to walk over with the engineers, particularly the environmental consultant, just to see what's involved. The sighting of the trees, etc, etc. to get a picture quite frankly other than the map, the drawings that are available. The other concern that might be of issue here is the stream or the culvert (the tributary) going into the creek itself. Normally, you do some sort of construction to hold back the siltation and there are stages of which you can do that. That's normal practice for good engineering design when it comes to runoff. So I put it to you, perhaps, that it would be helpful to us just to understand this on site for this, to be sure that it's a comfortable arrangement for the community, and it sort of can be, if you like, of service to the environment, and particularly to the downstream, concerns. This is in regard to the Hidden Point culvert. *Nestor responds that we can reach out to David Wright and his group to determine availability of their staff to give them a walkthrough of the site. There are two projects working hand in hand - addressing the drainage issues for Cherry Rd as well as the stormwater runoff issue.*

Colin Rees - My take from this meeting is there should be more transparency and access to information. It seems to be the case across the board. What you can do to implement that would be most appreciated. I think the problem has been meeting people and being transparent to what's happening. The modeling of the traffic light system, etc, etc. These issues that have come up in this meeting, and I think the bottom line is, we need to know more about what's going on. We've been having this meeting for almost 3 years. Every piece of information that we have presented has been posted to the website for Pleasant Plains (<https://www.aacounty.org/public-works/highways/pleasant-plains-road>) We encourage you to attend more meetings. We do our best to filter SHA information to you when they provide it, and we do our best to engage them to be in the meetings. We also encourage you to call the SHA to push for meeting attendance.

John Joynes - I have the set of Erik's plans. I called David Wallace, who signed off on it. You have 3 ways to stabilize the land. You decide on site what you're gonna do. He stated that the engineer that was going to supervise this...you can only dig up what you can stabilize in one day...It gives a lot of prerogatives to the guy on site. The drawings that we have show a hole just before the road, where it crosses into the Hidden Point side which has a 12 on it. Robert, are you familiar with this? It looks like a hole with a tree growing in it - it has a 12 on it, on the other side of the road there is a 6. So I take it its going down the hill from 12ft to 6ft in the distance across the road - I don't think that's correct. We'd like to go over the drawings top to bottom. The permit people don't have any more than what I've just described. People are giving a blessing to go build it and you can make up your mind while you're standing there. This makes me very uneasy. This is Underwood. We would like some explanation of just what we're going to do. We are not ignorant and we need access to the material. We were told that Erik would be here if at all possible and he is not here. Nestor responds that Karen Henry DPW Director made it clear that herself, Erik and David would not be available to attend every single meeting. You have made your desire clear to meet with Erik's group and we will let them know.

John Joynes - When we left the last meeting, I left with the understanding that Kim Tran would be at the next meeting from SHA to discuss the new traffic signal. Can we make the effort to get her here next time? Nestor replies that we always attempt to have SHA attend the meetings but rarely get a response.

Pat Lynch - We seem to be depending on people for information that are unable to attend the meetings as they are scheduled now. We should change the meeting time/date in order to have the right people here. This standing meeting was scheduled based on the availability of TED staff. We have done our best to accommodate several schedules. It is very difficult to predict who will and won't be available for a monthly standing meeting. We are doing our best.

H583701 – Pleasant Plains Rd Safety Improvements - Corridor Utility Project

The project is currently at 60% design.

Right-of-way (ROW)

1. The ROW plats are currently under review in Public Works.
2. Upon approval, our ROW process will follow and will include appraisals and negotiation. This process can be lengthy, given there are seven (7) properties that require dedications.

Environmental Permits

1. The OPZ Critical Area reviewer Michael Day said he would support the fee-in-lieu option to satisfy the mitigation requirement for the proposed Critical Area tree clearing. Our Environmental Consultant is preparing the CA Consistency Report to reflect this fee-in-lieu request.
2. The Roadside Tree permit mitigation will be addressed by planting 17 (1-½ inch caliper) trees within the existing public road ROW.
3. The Wetland Permit issuance is imminent.

H583702 – Cherry Rd Drainage Project

This project is nearing completion of the Design and Permitting phases.

1. The storm drain inlet deed of easement documents are under review by the single lot owner and their attorney. Their attorney advised they are reviewing the documents with our Office of Law. This deed of easement must be executed and recorded prior to Grading Permit (GP) issuance.
2. Our Engineer resubmitted the Grading Plans to the Permit Center today (3/27) in response to outstanding review comments. This resubmittal is for Grading Plan approval. The Grading Plan must be approved prior to GP issuance.
3. Construction of the BWPR project must be complete prior to GP issuance.
4. Erik Michelsen advised BWPR obtained the required approvals for their stormwater management project, and they are awaiting confirmation of a construction start date from their contractor Underwood & Associates, Inc.
5. Grading Permit issuance is dependent on items #1, 2 and #3 above.
6. Current anticipated construction start is spring, 2024.
7. EBA Engineering, Inc. is the construction inspector for this project.
8. Pay Dirt, LLC is the contractor for this project.

Pleasant Plains Road Safety Improvements Permit Summary – as of March 27, 2024
Corridor Improvements

Permit	Agency	Description/Comments	Status	Schedule
1. Grading (Permit Number G02019862)	Anne Arundel County Inspection and Permits	Is required for work within County Rights of Way	Initial submission was made to the County on 9/6/2023. Comments were posted beginning 9/11 to 9/22/23. Comments were minor in nature (see below “approvals”) and will be addressed with the next submission.	Anticipate resubmission April 2024. Grading permit approval is not issued until executed easements and proposed rights-of-way are acquired.
2. Wetlands Permit (Joint Permit Application)	Maryland Department of the Environment (MDE) and United States Army Corps of Engineers (USACE)	Required to obtain approval for disturbance to wetlands, wetland buffers, streams, floodplain.	JMT delineated wetland and stream resources. Impact plates are being prepared based on the final design and will be submitted for agency approval.	Contingent on resolution of replanting areas, impact plates are complete and will be submitted in February 2024 (without mitigation). Approval anticipated to take 3-6 months following submittal, however mitigation resolution may slow process.
3. Roadside Tree Permit	Maryland Department of Natural Resources (DNR)	Required for impacts to trees within road rights of way.	Coordinated with agency reviewer to ascertain mitigation requirements of 1:1 replacement of trees (or 2:1 replacement if 1.5” caliper) required within ROW or in an easement on private property. Based on current design 18 trees are anticipated to be required to be planted in County easement or right of way. County/JMT are actively looking for planting sites to comply with permit requirements.	Upon finding sufficient mitigation areas JMT will prepare the application form and accompanying plans showing proposed impacts and replanting. Application is typically made closer to construction.
4. Notice of Intent (NOI)	Maryland Department of the Environment (MDE)	Notice is required for projects that disturb over 1 acre of earth.	Requires design completion and AACSD approval obtained.	Typically takes two weeks to process. As this is a notification JMT/County will submit prior to construction start to minimize renewals.
Approvals/Processing Status				
5. Zoning	Anne Arundel County Inspection and Permits	None	Permit approval pending adequately addressing Environmental comments.	Approvals are iterative processes, which each average 6-8 weeks. County and Designers try to respect reviewers time constraints. Final Plans (without mitigation) are complete and resubmission in February 2024.
6. Environmental Review	Anne Arundel County Inspection and Permits	Wetland permit, roadside tree permit, and Critical Area approval required.	JMT to provide modification request, declaration of intent and clearing summary with next submission.	
7. Engineering Review	Anne Arundel County Inspection and Permits	The following comments were received and will be incorporated into the next submission. Provide “Stormwater Management & Floodplain Checklist”. Provide community meeting minutes from most recent engagement efforts. Revise plan shading. Provide a grading plan that demonstrates limits of disturbance. Include a limits of disturbance boundary. Show proposed contours and spot elevations as needed to demonstrate new grading schemes in plan view.		
8. Sediment and Erosion Control	Anne Arundel County Soil Conservation District (AACSD)	The following comments were received and will be incorporated into the next submission. Sign and date the Standard Responsibility Notes on the cover sheet. Provide a P.E. seal, signature and date on all sheets. Label all proposed work/structures on the sediment control plan view. Label all sediment control devices on the sediment control plan views. Show all grading associated with the improvements on the sediment control plan views. Properly outline the LOD and eliminate the “blocking out” of the proposed work areas, it prevents the necessary illustration of the proposed work.		
9. Grading Review	Anne Arundel County Inspection and Permits		This permit will be issued once we receive all agency approvals, the grading security and recorded stormwater management agreement.	
10. Chesapeake Bay Critical Area	Anne Arundel County Planning and Zoning/DNR Chesapeake Bay Critical Area Commission	Required to mitigate tree impacts within Chesapeake Bay Critical Area and Buffers. Required within the County Grading Permit	Coordinated with county reviewer to obtain the required 1:1 mitigation ratio. Order of preference is planting onsite, then offsite, then mitigation bank, then fee-in-lieu. Buffer impacts need to be replanted in or adjacent to the buffer to the extent possible. Resolving final design and mitigation.	
11. Scenic Byway	Maryland Historical Trust (MHT)	Confirmation of no historical impacts	MHT determined No Adverse Effects	

Pleasant Plains Road Drainage/Safety Improvements Permit Summary – as of March 27, 2024
Cherry Road Culvert Crossing

Permit	Agency	Description/Comments	Status	Schedule
1. Grading (Permit Number G02019787)	Anne Arundel County Inspection and Permits	Is required for work within County Rights of Way	Initial submission was made to the County on 6/13/2023. Comments were posted beginning 6/28/23. Subsequent submission November 2023. Comments were minor in nature (see below "approvals") and will be addressed with the next submission.	Resubmitted March,27, 2024. Grading permit approval is not issued until executed easements and proposed rights-of-way are acquired.
Approvals/Processing Status				
2. Zoning	Anne Arundel County Inspection and Permits	None	Approved	
3. Environmental Review	Anne Arundel County Inspection and Permits	All easements on private property must be completed prior to permit approval.	Coordination with south side owner complete, plat and deed submitted. North side work to be included in MOU with north side property.	
4. Engineering Review	Anne Arundel County Inspection and Permits	The following comments were received and will be incorporated into the next submission. Provide community meeting minutes from most recent engagement efforts if available. Coordinate with Ridout Creek Restoration project. Provide complete Hydrology and Hydraulics analysis in report format. Provide a completed Storm Drainage Checklist with the next review submission. Provide clarification on the difference between reported "Total Disturbance" and "Earthen Disturbance." Provide assessment of downstream conditions including photo tour to downstream Point of Interest. Introducing a closed storm drain system and concentrated discharge changes the existing drainage conditions, which must be assessed.		Approvals are iterative processes, which each average 6-8 weeks. County and Designers try to respect reviewers time constraints. Final Plans are complete with resubmission in February 2024.
5. Sediment and Erosion Control	Anne Arundel County Soil Conservation District (AASCD)	The following comments were received and will be incorporated into the next submission. Sign the Standard Responsibility Notes on the cover sheet. Submit the completed sediment control plan preparation checklist. Provide a Sequence of Construction in accordance with the SCD plan checklist. Provide the 2018 Vegetative Establishment Notes and the Consultant Certification on the plans.		
6. Grading Review	Anne Arundel County Inspection and Permits	This permit will be issued once we receive all agency approvals.		
7. Chesapeake Bay Critical Area	Anne Arundel County Planning and Zoning/DNR Chesapeake Bay Critical Area Commission		Confirmed with staff not required due to size, and no impacts.	