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

August 14, 2017

Ms. Kelly Krinetz  
Anne Arundel County  
Office of Planning and Zoning  
2664 Riva Road, MS 6301  
Annapolis, Maryland 21401

Re: Wroxeter Estates - Sketch  
S17-018; P17-0066-00NS

Dear Ms. Krinetz:

Thank you for submitting information regarding the above-referenced subdivision for review and comment. The applicant seeks sketch plan approval for a major subdivision to create five (5) single family lots, four (4) of which will be within the Resource Conservation Area (RCA) of the Critical Area. The proposed subdivision will consolidate and reconfigure one existing parcel (Tax Map 39, Parcel 51) and one existing lot (Lot 1 of the Severn View Subdivision). Parcel 51 is approximately 55.8 acres, approximately 28.5 acres of which are located within the RCA. Parcel 51, is waterfront and contains four existing dwellings, three of which are within the RCA portion of the parcel. Lot 1 is approximately 0.47 acres in size, entirely within the RCA, waterfront, and is currently unimproved. The four proposed lots within the RCA are seeking a riparian right and access to Asquith Creek.

Parcel 51 and Lot 1 are considered nonconforming parcels under Critical Area law and regulations. The three existing dwellings within the RCA portion of Parcel 51 exceed the required RCA density of one dwelling unit per 20 acres. The County has recognized these three dwellings as an R1-Residential District type nonconforming use. Additionally, one of those dwellings is located within the Critical Area Buffer. Lot 1 is also considered a nonconforming lot under Critical area law and regulations because it is less than 20 acres and located within the RCA. Given the proposed subdivision seeks to maintain four development rights in the RCA, the County must determine the application meets the lot consolidation and reconfiguration regulations in COMAR 27.01.02.08.

After reviewing the proposed subdivision, this office has the following comments:

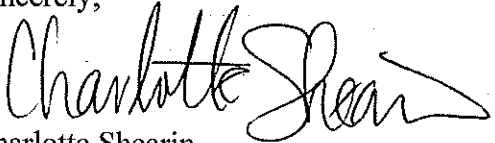
1. Information regarding the date of recordation of Lot 1 as a legally buildable lot is required per COMAR 27.01.02.08. It is unclear when Lot 1 was first created and whether

it is considered grandfathered under COMAR 27.01.02.07; and how and when it became known as Parcel 370.

2. Please confirm that Lot 8 is no longer a part of this subdivision. Lot 8 was included in the letter dated November 30, 2016 from the County to the applicant but it does not appear to be a part of the submitted plans.
3. It is unclear whether the Buffers onsite have been drawn accurately on the submitted plans. The Critical Area Buffer, including the Buffer to tributary streams, should be expanded for steep slopes, erodible soils, hydric soils, or nontidal wetlands. Please refer to COMAR 27.01.09.01.E(7) for instructions on how to expand the Critical Area Buffer, including the Buffer to tributary streams. Please submit a separate exhibit showing the Critical Area Buffers onsite for existing and proposed conditions so that a determination can be made as to whether they are accurately drawn.
4. A 200-foot Buffer is required for subdivisions in the RCA. This Buffer should also be expanded for steep slopes, erodible soils, hydric soils, or nontidal wetlands. This Buffer should be fully established in native woody or wetland vegetation, per COMAR 27.01.09. If the 200-foot Buffer, as expanded, is not currently fully established in native woody or wetland vegetation, a Buffer Management Plan should be provided which shows where planting will occur, as well as planting details related to species, number of each species, maintenance and monitoring requirements, etc. (COMAR 27.01.09).
5. The subdivision plat and development plan must include notes restricting any Open Space within the Critical Area from conversion to a future lot and limiting any uses to passive recreational uses only.
6. The County must make written findings, per COMAR 27.01.02.08.F, as to how the proposed subdivision meets the lot consolidation and reconfiguration regulations. Specifically, the County must address how the proposed subdivision will not create an additional riparian parcel or lot, or waterfront lot, or any other parcel or lot deeded with water access, when the current configuration allows two (2) waterfront parcels or lots (Parcel 51 and Lot 1), and the proposed reconfiguration/consolidation will allow four waterfront lots.
7. The plat should include a lot coverage table that shows how the Critical Area portion of the subdivision will meet the County's 14% lot coverage limit and how the remaining allowable lot coverage will be distributed among the Critical Area portion of the subdivision.
8. The Commission will not support a variance request to allow greater lot coverage, greater impact to steep slopes, or greater impact to any habitat protection areas including the Buffer; than development activities within the configuration currently in existence. Comments regarding the variance request to impact steep slopes and the Critical Area Buffer will be provided under separate cover.

Thank you for the opportunity to provide comment. If you have any questions, please contact me at (410) 260-3480.

Sincerely,

A handwritten signature in cursive script that reads "Charlotte Shearin". The signature is written in black ink and is positioned above the printed name and title.

Charlotte Shearin  
Regional Program Chief

File: AA 560-17