

Kent County Planning Commission
Department of Planning, Housing, and Zoning
400 High Street, Suite 130
Chestertown, MD 21620
410-778-7423 (voice/relay)

#### County Commissioners Hearing Room 400 High Street Chestertown, Maryland

#### **AGENDA**

November 4, 2021 1:30 p.m.

Members of the public are welcome to attend meetings in person, virtually, or via conference call. You may also listen to the meeting either online at <a href="https://www.kentcounty.com/commissioners/meeting-live-video">https://www.kentcounty.com/commissioners/meeting-live-video</a> OR via the audio-only phone number and conference identification number listed below. If listening to the meeting online, the way for members of the public to provide verbal comments during the meeting is via the audio-only phone number.

Public participation and audio-only call-in number:

- 1. Dial **1-872-239-8359**
- 2. Enter Conference ID: 160 129 258#

Members of the public are asked to mute their phones/devices, until the Commission Chair opens the floor for comment. Please note that if you are listening to the online livestream while waiting to call in to participate, there is an approximately 35-second delay. In order to avoid audio feedback issues, please mute the livestream before calling in.

#### **MINUTES**

October 7, 2021

#### **APPLICATIONS FOR REVIEW**

21-36	Mervin Lapp – Major Subdivision (Final)
	12119 Coopers Lane – Third Election District – Zoned Rural Residential District (RR)PC Decision
20-41	Cliff Road Properties, LLC (Great Oak Manor) – Site Plan Review - Final (Cottages)

#### **GENERAL DISCUSSION**

#### **STAFF REPORTS**

#### **ADJOURN**

Meetings are conducted in Open Session unless otherwise indicated. All or part of the Planning Commission meetings can be held in closed session under the authority of the MD Open Meetings Law by vote of the members. Breaks are at the call of the Chairman. Meetings are subject to audio and video recordings.

Projects will not be reviewed prior to their scheduled time. All applications will be given the time necessary to assure full public participation and a fair and complete review of all projects. Agenda items are subject to change due to cancellations.

Other business without assigned times may be discussed during the meeting.

#### **MINUTES**

The Kent County Planning Commission met in regular session on Thursday, October 7, 2021, in the County Commissioners' Hearing Room at 400 High Street, Chestertown, Maryland. It was a hybrid meeting, and the following members were in attendance: Chair Kim Kohl, Vice Chair F. Joseph Hickman, County Commissioner P. Thomas Mason; Paul J. Ruge, Jr.; James Saunders; William Sutton; Tyler Brown (remote); and Cynthia L. McCann, Esq., Planning Commission Attorney. Staff in attendance were William Mackey, Director; Carla Gerber, Deputy Director; Mark Carper, Associate Planner; and Michael Pelletier, Clerk.

Ms. Kohl called the meeting to order at 1:30 p.m.

#### **MINUTES**

Mr. Sutton made a motion to accept the minutes for the September 2, 2021, meeting, as distributed.

Mr. Saunders seconded the motion; the motion passed with all in favor.

#### APPLICATIONS FOR REVIEW:

#### 21-34 Atlantic Tractor – Site Plan Review (Final)

Mr. Carper stated that Atlantic Tractor/Cooper Enterprises, LLC is requesting final site plan approval to construct a 6,000 square foot maintenance building to accommodate repairs of combine harvesters. The property is located at 621 Morgnec Road.

Mr. Carper informed the Commission that the proposed structure meets the minimum setback requirements and height limitations as well as any applicable industrial performance or environmental standards.

Mr. Carper noted that Staff recommends granting final site plan approval conditioned up the following:

- Approval of the sediment and erosion control and stormwater management plans;
- Submission and approval of sureties for landscaping, sediment and erosion control, and stormwater management; and
- That the final site plan approval hereby granted would lapse after one year if no substantial construction were to occur.

Kevin Shearon with DMS Associates appeared on behalf of the applicant. He informed the Commission that no comments were received from the Citizen Participation letter. He also noted that the applicant has been working with the Town of Chestertown in regard to the sewer/water plans and the final site plans indicate that the buried propane tank is to be moved.

Mr. Sutton expressed support for the final site plan.

Vice-Chair Hickman made a motion to approve the final site plan with the conditions recommended by Staff and based upon the following:

• The proposed project promotes existing business and assists in its growth.

- Citizen participation was solicited through an informational letter notifying surrounding landowners of the proposed construction and inviting them to provide comment or ask questions. There were no comments received.
- On-site circulation appears to provide clearly defined lanes of travel and space for parking.
- The applicant has addressed the performance standards.
- The applicant has submitted a Certified Engineer's Report.
- Plans for the proposed structure that include front, side, and rear elevations of all exterior walls have been submitted and all dimensional specifications meet Ordinance requirements.
- The proposed structure meets the minimum setback requirements, outside illumination with dark sky
  compatibility has been included, and the buried propone tank is to be relocated prior to construction of
  the building.
- Sediment and erosion control and stormwater management plans have been submitted for review.
- A landscape plan has been submitted for review and adequate screening is provided.
- A notification from the town of Chestertown has been provided stating that Atlantic Tractor is working through the Chestertown Utilities Commission process for connection to the town's water and sewer system.

The motion to grant final major site plan approval was seconded by Mr. Sutton and was approved by the Commission.

#### 21-36 Mervin Lap – Major Subdivision (Preliminary)

Ms. Gerber informed the Commission that Mervin Lapp requests preliminary approval for a major subdivision of his 45.724-acre parcel into two lots. The lot with the existing farmstead will be 17.559 acres; the remainder will be 28.165 acres. The property is located on Coopers Lane, near the intersection with Still Pond Creek Road.

#### Ms. Gerber noted that

- the proposed lot meets the minimum area, density, and width requirements.
- The applicants will need to submit the open space fee of \$250 before final approval.
- Forest conservation will need to be addressed.
- Mr. Lapp has already planted street trees along the property line and at each driveway.
- The application is consistent with the Comprehensive Plan. The property is located within a Tier III area of the adopted Growth Tier Map. Final review will require a public hearing.

Staff recommends granting preliminary approval contingent upon paying the open space fee, addressing forest conservation, and providing additional letters as to demands on public services.

Mervin Lapp and Michael Scott, surveyor, were sworn in.

Mr. Scott informed the Commission that he has had discussions with two adjacent property owners. Based on those discussions, it was discovered that the wrong plats were at the assessor's office, and he indicated that he has corrected the subdivision plat.

Leona Van Dyke and Ralph Van Dyke of Worton, Maryland, were sworn in. Mrs. Van Dyke informed the Commission that there are computer tax map errors that should be corrected. She also notified the Commission of her efforts to correct the records and recommended the Commission not hear the application until updated



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tax maps are submitted. Mrs. Van Dyke entered a letter to the Planning Commission outlining her efforts and recommendations and provided a survey and plot map for the Commission's reference.

Mr. Van Dyke inquired as to how the Commission can move forward with the application until the tax maps are corrected.

A discussion ensued amongst members, and it was determined that the matter can go forward at this time since the applicant is seeking preliminary site plan approval. Ms. McCann indicated she would like to review the accepted exhibits to determine whether the information provided would impact a final site plan application.

Mr. Hickman moved to grant preliminary site plan approval contingent on Staff's recommendations based upon the following:

- Consistent with the Comprehensive Plan. Property is near a growth area that allows subdivisions like this
  proposal.
- The applicant has provided a letter from the Sheriff's Office stating no impacts to providing services. Letters from the Board of Education and Emergency Services are required.
- No change to existing roads or traffic.
- The Health Department has approved the application.
- Existing landscaping is adequate.

Mr. Ruge seconded the motion to grant the preliminary subdivision approval, which was approved by the members.

#### 20-41 Cliff Road Properties (Great Oak Manor) – Site Plan Review (Preliminary – Cottages)

Ms. Gerber informed the Commission that the applicant is proposing improvements to expand and enhance their existing county inn use to construct two, free-standing cottages, which will have two guest rooms per cottage, associated pedestrian walkways, and expansion of the guest parking lot.

Ms. Gerber added that the 8.515-acre property is located at 10568 Cliff Road and is zoned Critical Area Residential. The proposal complies with the lot coverage limits and a Major Buffer Enhancement Plan has been submitted. A citizen participation meeting was held on December 10, 2020.

Background pertaining to the property's prior development and Special Exception status dating back to 1984 were also relayed to the Commission. Ms. Gerber also noted that two rooms will be taken out of service in the Manor House and the total number of rooms will total 15, consistent with the current Special Exception limitations.

Ms. Gerber indicated the property meets density, area, height, width, and yard requirements as well as District Environmental Standards, Parking and Loading Requirements, however, a correction to the Buffer Enhancement Plan is required.

Ms. Gerber added that Staff recommends granting preliminary approval of the cottages with the following conditions:

The final Landscape/Buffer Enhancement Plan be updated to reflect the increase in lot coverage for this
phase of the project and adjusted so that not more than 10% of the plantings are grasses.



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- Final approval of the sediment control and stormwater management plans for this phase of the project.
- Submission of all required Letters of Credit or proof of other surety for this phase of the project; and
- Incorporation of any alterations to the building designs, as necessary, following discussion of the proposal.

Harry Reed, applicant, and Tom Davis with DMS and Associates were sworn in. Lance Young, Esquire, with the McCleod Law Group appeared on behalf of the applicant.

Mr. Davis noted the accuracy and detail in the Staff Report as well as restated the purpose of the application is as described by Staff. Mr. Davis discussed the applicant's efforts to comply with State and Local ordinances and regulations as well as the applicant's engagement of architecture services by Hillcrest Architects, a firm that specializes in designing structures with a historic appearance.

#### **Closed Session**

At 2:25 p.m., a motion was made by Vice-Chair Hickman, seconded by Mr. Sutton, and carried unanimously to go into closed session. The meeting was closed under the Annotated Code of Maryland, General Provisions Article § 3-305 (b) (7) to consult with counsel to obtain legal advice on Cliff Road Properties' application. The closed session was held in the County Commissioners' Hearing Room at 400 High Street, Chestertown, Maryland. Those in attendance with the Planning Commission were Cynthia McCann, Planning Commission Attorney; William Mackey, Director; Carla Gerber, Deputy Director; Mark Carper, Associate Planner; and Michael Pelletier, Clerk. No action was taken during the closed session. At 3:13 p.m., Mr. Saunders moved to end the closed session, seconded by Mr. Ruge. The motion passed unanimously.

#### The Commission's open session reconvened at 3:15 p.m.

A letter from Richard M. Longo with Hillcrest Architects was introduced as Applicant's Exhibit 1.

Vice-Chair Hickman asked a question concerning the removal of the two rooms in the Manor House.

Mr. Reed testified that the rooms are not being removed but will not be rented or marketed. One of them may be combined with another room. The intent is fifteen guest rooms/suites with two guests per room, and the maximum number of bathrooms will be fifteen.

Chair Kohl asked the members about discussing the design standards and elevations. Vice-Chair Hickman opined that he had read the architect's letter and felt that the design was consistent with the structures and "tone" of the property.

Bruce Galton, an adjacent property owner, inquired as to the applicability of Article VII, Section 7.16(f). Mr. Young indicated he would be happy to answer in regard to that paragraph insofar as his firm assisted in drafting the zoning text amendment back in 2018. The firm and the Planning office agreed, and a compromise was reached so that the size requirement would not be unduly restrictive and any changes to the property would be harmonious with what was already there in 1989. For the record, Ms. Gerber reiterated the text of the applicable section in regard to the size requirement as well as the harmonious requirement as to how the principal structure existed in 1989.

Ms. Gerber added that it is Staff's position that a Country Inn pertains to the property, not a single structure on the property and that the cottages fit in with the provision. Mr. Galton noted that several property owners have concerns about continued expansion of the applicant's property.



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In regard to an inquiry by Vice-Chair Hickman, Ms. Gerber noted that the County does not have a definition of what constitutes a campus. Ms. Gerber opined that a campus is any property that has an integrated set of buildings that function as one use.

Mr. Young added that the Land Use Ordinance pertains to the number of rooms and not the number of structures and the text amendment allows the applicants to expand on the number of structures. A member had raised concerns about adding a large number of structures. Mr. Mackey added that in principle its possible, but with this application it is only a minor addition to the property, and had it been a larger project, there might be a different recommendation.

Mr. Reed testified that it was never his intention to be in conflict with adjacent property owners. He added that since the bus incident, of which everyone is aware, he agreed to put a provision in his wedding contracts that no coach-style buses will come on to the property. A second document by the applicant outlining their policy regarding parking and concerning the use of Shuttles and Buses was introduced as Applicant's Exhibit 2.

A discussion ensued amongst the members over concerns that if the application were to be granted, the property will continue to expand in the future.

A motion to grant the application was made by Vice-Chair Hickman with the following votes:

Mr. Hickman – No Mr. Saunders – No Mr. Ruge – Yes Mr. Brown – Yes Mr. Sutton – No Chair Kohl – No

The motion failed.

Ms. McCann indicated a Motion to Deny was required to be voted on.

Vice-Chair Hickman made a motion to deny the application as the definition of the extension and enlargement of structures as stated would allow more than what is presented here based on that flawed definition. Mr. Saunders seconded the motion. The following votes were recorded:

Vice-Chair Hickman – Yes Mr. Saunders – Yes Mr. Ruge – No Mr. Sutton – Yes Mr. Brown – Yes Chair Kohl – Yes

The motion to deny was approved. Ms. McCann noted that the motion to deny must include reasons for the denial. Mr. Young added that they could add conditions that would allow for no additional dwellings on the property if approval of the application was granted.

Mr. Reed indicated he was willing to restrict any expansion to the two subject cottages and not pursue the previous pavilion application.



Vice-Chair Hickman made a motion to withdraw the denial and it was seconded by Mr. Saunders. All members were in favor and the application was granted based on this restriction.

#### The Commission recessed for a 5-minute break at 4:10 pm.

Vice-Chair Hickman moved to annul the vote on the motion to deny, seconded by Mr. Ruge. All members were in favor. Vice-Chair Hickman moved that the application be approved with conditions limiting the extension and enlargement to the two proposed cottages and no permanent roof over the approved tent area, approval of stormwater management and sediment control plans, and submission of required letters of credit. The decision was based on the following findings as set forth below:

- The application is consistent with the Comprehensive Plan.
- The property is supported by private well and septic.
- A Buffer Enhancement Plan has been submitted, but a condition is to provide a 9.863 square feet of mitigation with no more than 10% in grasses.
- Lot coverage and parking are sufficient.
- The design of the cottages is consistent with the Manor House.

The motion was seconded by Mr. Saunders. All were in favor and preliminary approval of the application with the above-referenced conditions was granted.

#### 21-37 Bonnie Plants, LLC Site Plan Review (Concept)

#### 21-38 Bonnie Plants (D. Drury) – Special Exception – Migrant Worker Housing

Chair Kohl indicated that she had a prior engagement and turned the Chair over to Vice-Chair Hickman.

Ms. Gerber noted that the applicant is proposing to construct a 30-foot by 84-foot one-story structure to house up to twenty-four H2A guest workers from February through July. The dormitory is proposed to have 2 independent units that will house up to twelve workers in each unit. Each unit will have three bedrooms, a common area with kitchen, and a large bathroom. A mechanical room accessed only from outside will be attached to the front of the building. Guest workers are currently housed in rental hotel rooms that are over 45 minutes from the site.

The property is located at 12515 Augustine Herman Highway and is zoned Agricultural Zoning District (AZD) and Crossroads Commercial (CC). The dormitory will be located on the rear of the property within the AZD portion. The surrounding area is a mix of commercial uses and farmland. The property is currently improved with many greenhouses and associated structures which are used to grow herbs and vegetables.

The proposed dormitory should not be visible from Augustine Herman Highway. There should be no change to the traffic patterns. The nature of the surrounding area is agricultural in character. The property is adjacent to Molly's and Binkley & Hurst equipment dealer. The closest house of worship is Shrewsbury Parish Episcopal Church. There will be minimal grading and no clearing of trees. The proposal is consistent with the Comprehensive Plan.

Ms. Gerber added the following Staff and TAC comments:

• The proposal is consistent with strategies and goals of the Comprehensive Plan.



- The property is served by private well and septic. The Health Department is currently reviewing the project to determine necessary improvements to the septic system.
- Stormwater management and sediment control plans will need to be submitted and approved prior to final approval.
- The proposed building will be located approximately 70 feet from the closest property line.
- The proposed building will meet all Federal Department of Labor standards for H2A workers.
- There are no proposed changes to site access.
- "Agricultural activities, not resulting in a change in land use category, including agricultural support buildings" are exempt from Forest Conservation if a Declaration of Intent is filed with the Planning Department.
- The applicant has two vans and provides transportation for guest workers. Individual cars for workers will not be parked onsite.
- A Citizen Participation letter was sent to neighboring properties.

The applicant David Drury, owner of Bonnie Plants, LLC, was sworn in.

Mr. Ruge asked whether any of the migrant workers bring their families to the property, and Mr. Drury confirmed that they do not.

Taylor Watson, Union Springs, Alabama, Engineer with Bonnie Plants, was sworn in and testified that there were no comments except one concern from a neighbor concerning the setbacks which were mistakenly thought to be 25 feet. The structure is 60 feet from the property line at one corner and over 70 feet from the other. He also noted that the structure meets Department of Labor Standards.

Mr. Sutton complemented Mr. Watson on the details in the narrative attached with the application. Mr. Sutton raised a concern about parking, and Mr. Drury indicated they have two passenger vans which, if the application is approved, will actually reduce traffic flow since they won't need to travel to the Courtyard Inn each day.

Mr. Ruge inquired as to whether there were any rental implications, and Mr. Drury said this is a housing situation, not a rental one. There are Maryland agencies as well as Federal agencies that play a role in approving housing for migrant workers.

Mr. Drury indicated it is mostly the same workers they bring back each year.

Kevin Miller, adjacent property owner, was sworn in and inquired as to what could the property be used for 5 years from now in the event the applicant sells. Mr. Drury indicated it is only for the workers. Ms. Gerber added that if the use changes, the applicant would have to come to the Department and inform them that they were no longer a migrant labor camp and it would not be a permitted use. Ms. McCann indicated that if the structure were used as anything other than a migrant labor camp, it would probably be a violation.

Acting Chair Hickman added that if Mr. Miller ever noticed a situation which appears to be a violation, than Mr. Miller should call the Department and report it.

Acting Chair Hickman moved that the Commission make a favorable recommendation to the Board of Appeals to approve the special exception on the following grounds:

It retains and promotes existing businesses and assists in growth;



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- It promotes and supports the agricultural industry and secures its future in the County;
- The land use ordinance allows migrant labor camps in AZD as a special exception;
- The proposed dormitory will be located on the rear of the irregularly shaped parcel and should not be visible from Augustine Herman Highway;
- There should be no change to the traffic patterns;
- The nature of the surrounding area is agricultural in character;
- The property is adjacent to Molly's and Binkley & Hurst equipment dealer;
- The closest house of worship is Shrewsbury Parish Episcopal Church;
- There will be minimal grading and no clearing of trees; and
- The proposal is consistent with the Comprehensive Plan.

The Motion was seconded, and all members were in favor and the motion was granted.

#### **STAFF REPORTS**

Carla Gerber: August was busy with normal routine business and hearings.

Mark Carper: Mr. Carper attended an Eastern Shore Climate Adaptation Partnership (ESCAP) meeting recently.

Ms. McCann: The Maryland Planning Commissioners Association Conference will be available online and Mr. Mackey had forwarded an email to the members if they were interested in reviewing the seminar which is virtual.

#### **ADJOURN**

ADJOORN	
Mr. Sutton made a Motion to Adjourn w	hich was seconded by Mr. Saunders. The meeting adjourned at 4:58 p.m.
Kim Kohl, Chair	Michael Pelletier, Clerk
Joe Hickman, Vice-Chair	





## Kent County Department of Planning, Housing, and Zoning

#### PRELIMINARY STAFF REPORT

TO: Kent County Planning Commission FROM: Carla Gerber, Deputy Director

SUBJECT: Mervin L. Lapp - Major Subdivision – 1 lot

DATE: October 29, 2021

#### **Description of Proposal**

Mervin Lapp requests preliminary approval for a major subdivision of his 45.724-acre parcel into two lots. The lot with the existing farmstead will be 17.559 acres; the remainder will be 28.165 acres. The property is located on Coopers Lane, near the intersection with Still Pond Creek Road. It is in the Third Election District and is zoned Rural Residential (RR).

#### History

Mr. Lapp subdivided four lots on Still Pond Creek Road in 1986 and 1987. In 1990, he subdivided a 1.39-acre lot from the center of the farm. In 2001, Lots 2 and 3 were resubdivided. All lots are considered part of Cheerful Echoes, Section One.

#### **Relevant Issues**

- I. Density, Area, Height, Width, and Yard Requirements
- A. Applicable Law: Article V, Section 4.5 of the Kent County Land Use Ordinance establishes the area, density, and width requirements for development in Rural Residential.
- B. Staff Comments: The proposed lot meets the minimum requirements.
- II. General Standards
- A. Applicable Law: Article V, Section 4.6 sets forth the general standards:
   Open Space: When all of the parcels in the subdivision exceed 10 acres in size, the developer shall pay a fee of \$250.00 for each lot in lieu of providing land for recreational purposes.
- B. Staff Comments: The open space fee needs to be paid.
- III. Environmental Standards
- A. Applicable Law: Article V, Section 4.7 sets forth environmental standards for the Rural Residential District. These standards address species protection, buffers, habitat protection, forest conservation, and water quality.
- B. Staff Comments: The applicant has decided to deed restrict the existing forest. The subdivision plan has been revised to show the existing tree line. A Forest Conservation worksheet and deed restrictions need to be submitted.

#### V. Subdivision

- A. Comprehensive Plan: One of the guiding principles of this Comprehensive Plan is to encourage growth to occur in and around these existing towns, villages and neighborhoods thereby preserving our otherwise rural character, agricultural lands, and environment. (Page 21)
- B. Applicable Law: Article VI, Section 6.3.B.15 sets forth that the *Planning Commission* shall prepare findings of fact concerning the reasonable fulfillment of the objectives listed below.
  - a. Conformance with the *Comprehensive Plan* and, where applicable, the Village Master Plan.
  - b. Conformance with the provisions of all applicable rules and *regulations* of county, state, and federal agencies.
  - Convenience and safety of both vehicular and pedestrian movement within the site and in relation to adjoining ways and properties.
  - d. Reasonable demands placed on public services and infrastructure.
  - e. Adequacy of methods for sewage and refuse disposal, and the protection from pollution of both surface waters and groundwater. This includes minimizing *soil erosion* both during and after construction.
  - f. Minimizing the area over which existing vegetation is to be removed. Where *tree* removal is required, special attention shall be given to planting of replacement trees.
  - g. The applicant's efforts to integrate the proposed *development* into the existing landscape through design features such as vegetative buffers, roadside plantings, and the retention of *open space* and agricultural land.
- C. Staff comments: The application is consistent with the Comprehensive Plan. The property is located within a Tier III area of the adopted Growth Tier Map. Tier III areas include Rural Villages as designated under the Priority Funding Area Act, Neighborhood Development Areas, and undeveloped tracts of land adjacent to developed areas. Final review requires a public hearing and approval via resolution.

According to the SB236 Implementation Guidance published by MDP in 2012, in its review of the residential major subdivision within Tier III, the planning board must consider the cost of services to the major subdivision and the potential environmental issues or a natural resources inventory related to the proposed subdivision.

This single lot subdivision is considered a major subdivision because of previous subdivisions approved since December 1969. There is no anticipated change in use and therefore there will be no effect on the cost of providing services or impact to the environment. No new roads are being constructed and the existing forest will be deed restricted.

As to the issue with the inaccurate property lines on the tax maps. According to the State Department of Assessments and Taxation, the tax maps maintained by MDP are not to be construed or used as a "legal description." Staff has reached out to MDP about the process to submit corrections and will send documentation to get the errors corrected.

Staff Recommendation: Staff recommends granting final approval contingent upon paying the open space fee, submitting forest conservation deed restrictions, and providing the additional letters as to demands on public services.

The decision needs to be made by resolution.



Enter search term





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Real Property

# Questions and Answers About Real Property Assessments

Maryland Local Assessment Offices are closed to the public but staff will be on hand to answer questions via phone and email. <u>Please click the following link</u> to contact your local office.

Dear Customer,

Property assessments and taxation have historically been confusing issues for property owners. This information is intended as an easy to use source of information regarding how your property is valued, what to do if you think your property value is in error, and what special tax relief programs are available. Included are the answers to the most commonly asked questions about real property assessments.

The SDAT staff is always available to answer your questions. Please contact your <u>local assessment office</u> for more detailed information.









How do you determine the value of my property reflected on the notice? How do I read my assessment notice? What is a sales listing? What are comparable properties? How do you arrive at the phased-in values shown on the notice? Why is it necessary to reassess property? What is the Homeowners' Tax Credit Program (Circuit Breaker)? How will the local assessment caps affect me? What is the Homestead Property Tax Credit? What is the Constant Yield Tax Rate? How will an increase in an assessment affect my taxes? What should I do if I have a question about my taxes? What should I do if I do not agree with my assessment? How do I appeal? How are the hearings conducted? Why would the value of my house go up if I have not done anything to it? Are there any other appeal levels? How can you say that my property is worth \$175,000 when I paid only \$150,000 for it three years ago? What happens if the real estate market goes down? My insurance company just appraised my house. Why is it so much lower than my total market value? How is land valued? Why does my neighbor with a much larger lot have only a slightly higher land value? How can you assess my property as waterfront when I only have very shallow water or a mud flat at low tide? How do you value the land for a condominium?

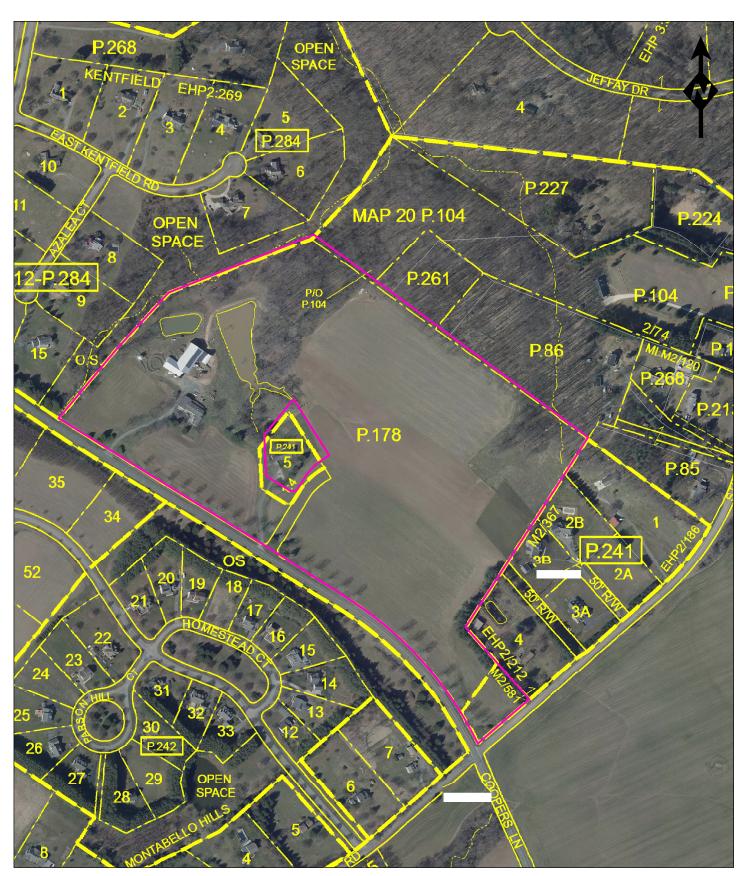
The property tax map reflects my parcel of land incorrectly.

SDAT Real Property Division conducts property assessments; provides assessment roll information; and maintains our records based on the official records recorded among Land Records.

The Maryland Department of Planning (MDP), Planning Data and Research Unit, is responsible for maintaining tax maps for the 23 counties in Maryland. Tax Maps are meant to provide a graphic representation of real property by reflecting individual property boundaries in relationship to contiguous real property.

The maps provided by MDP are NOT to be construed or used as a "legal description." It is not a survey product and not to be used for the design, modification, or construction of improvements to real property or for flood plain determination. MDP does not provide an guaranty of accuracy or completeness regarding the map information. Any errors should be reported to the Maryland Department of Planning, Planning Data and Research Unit, (410)767-4500, 301 W. Preston Street, Baltimore, MD 21201.

I would like my name to be removed from SDAT online records.



Source: Kent County Department of Planning, Housing, and Zoning. Aerial taken Spring 2019. Map prepared October 2021.

#### SUBDIVISION APPLICATION

Kent County Department of Planning, Housing and Zoning
Kent County Government Center
400 High Street • Chestertown, MD 21620 410-778-7475 (phone) • 410-810-2932 (fax) tthomas@kentgov.org

				0 0
File Number: # 2 Subdivision Name: Amount Paid: #2 Date: #12	7500 ohedet	10840	Major Subdivi	PLICATION FOR: sion □ Concept Plan Review sion □ Preliminary Plat □ Final Plat
District: 3 Ma	p: 20 Parc	el: 178 Lot Size	e: Deed Ref:	M.L.M. 1/266 Zoning: RF
OWNER OF LAND:				
Name: MERVIN L			Telephon	e: <u>443-480-0712</u>
Address: 12119 C	OOPER'S LAI	NE WORTON, M	D 21678 Email:	·
APPLICANT:				
Name: SAME AS	ABOVE		Tolonhon	e:
				е
			Elliali;	
AGENT/ATTORNEY	(if any):			
Name:			Telephon	e:
Address:			Email:	
DECICTEDED ENGINE	EED OD CUDVEV	nn.		
REGISTERED ENGINE Name: MICHAEL A			m 1 1	410-778-2310
Address 400 S. CR	OSS STREET	CHESTERTOWN	MD 21620 MI	e: 410-776-2310 CHAEL@MICHAELASCOTTINC.CO
be contacted by staff	nail of the one pe and will be the p	rson who will be res erson responsible fo	sponsible for responding or forwarding the comme	to comments. Only this person wents or requests for additional
information to any ot	her interested pa	arties. EMAIL: MICHAE	EL@MICHAELASCOTTINC.COM	
I OCATION DESCRIPT	NORTH S	SIDE OF COOPE	R'S I ANE WEST OF	STILL POND CREEK ROAL
LOCATION DESCRIPT	ION:			OTILL FORD ONLLIN NOAL
Total area of Prope	rty. 45.724		Number of Leter	2 .
Average Lot Size: 22	2.862		Smallest Lot Size	17.599
Number and Names			NE	
Number and Names	of Roads to De	Constructed:		
Water Supply:	☐ Public Syst	em 🔳 On lot s	ystem	
Sewerage:	☐ Public Syst	em 🔳 On lot s	ystem	
TELEPHONE SERVICE	D BY: VERIZO			
ELECTRIC SERVICED				
RESTRICTIONS OR CO	VENANTS:	■ None □ Y	es - □ Copies Attache	ed
A COPY OF THE LAND	DESCRIPTION A	S SET FORTH IN TH	E DEED SHALL BE ATTA	ACHED.
NOTICE: The Plannin cannot be held respon	g Office is not re	quired to make out	this Application. If the I	Planning Department assists you,
		Signature of Applican	t	8-/2-2/ Pata
		o-Bracer e or Applican	•	Date
☐ Concept Plan	Approving Au	thority:		Date
☐ Preliminary Plat				Date
☐ Final Plat				Date

DEPARTMENT OF PLANNING, HOUSING & ZONING RECEIVED



#### **NARRATIVE**

MAJOR SUBDIVISION OF THE LANDS OF
MERVIN L. LAPP et ux.
THIRD ELECTION DISTRICT, KENT COUNTY, MARYLAND

NAME/ LANDOWNER: MERVIN L. LAPP et ux.

MAILING ADDRESS: 12119 COOPER'S LANE WORTON, MARYLAND 21678

TAX MAP: 20 Parcel 178

**ZONING:** RURAL ZONING DISTRICT.

**CURRENT USE: AGRICULTURAL & RESIDENTIAL** 

PROPOSED USE: AGRICULTURAL & RESIDENTIAL

**VIEWSHED:** THE PROPOSED SITE IS SURROUNED BY WOODS AND RESIDENTIAL LOTS.

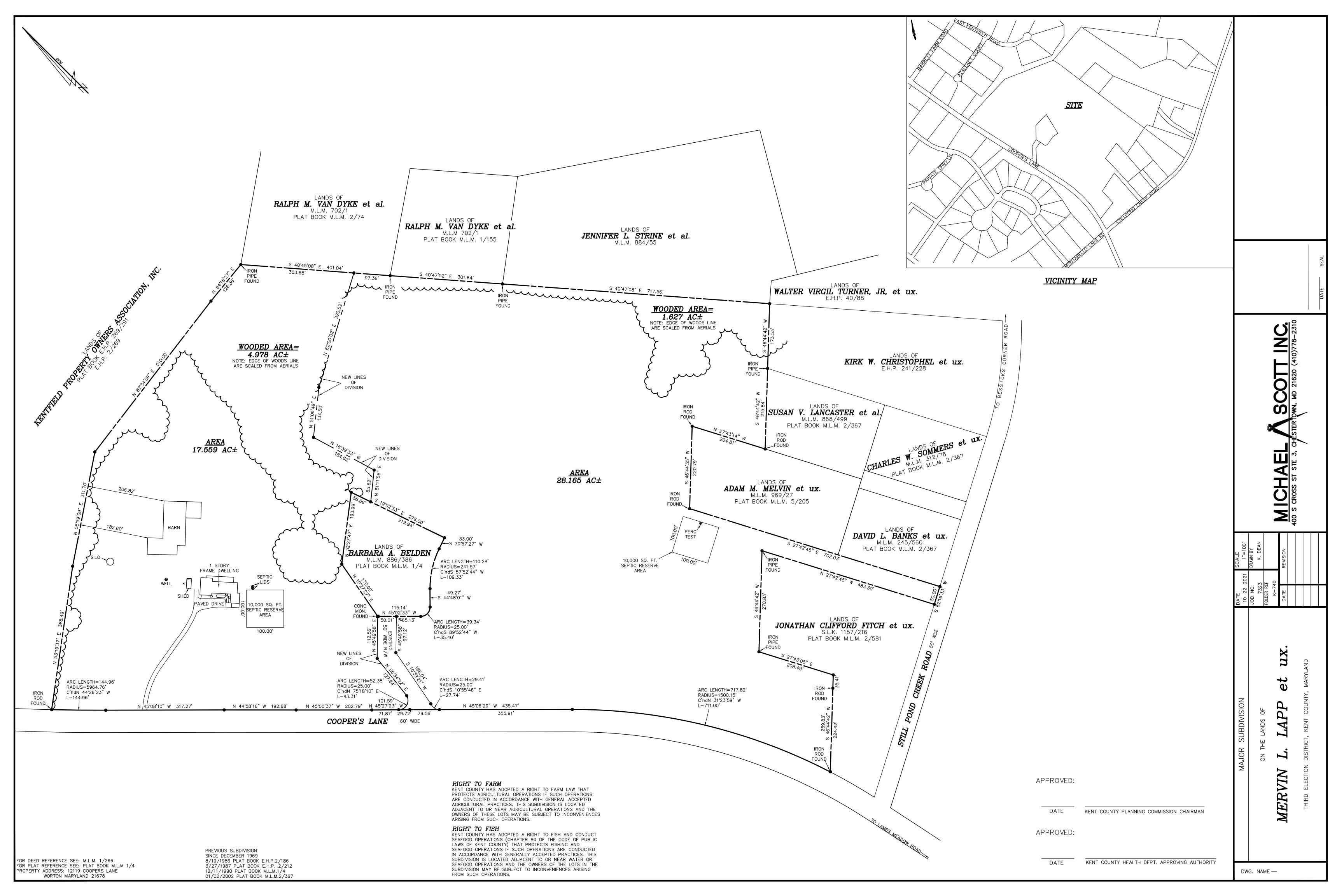
COMPREHENSIVE PLAN VILLAGE MASTER PLAN DESIGN & ENVIRONMENAL STANDARDS OF THIS

**ORDINANCE:** THIS PROJECT COMPLIES AND MEETS ALL REQUIRMENTS OF THE COMPREHENSIVE PLAN, VILLAGE MASTER PLAN & THE DESIGN & ENVIRONMENTAL STANDARS OF THIS ORDINANCE

WATER & SEWER SERVICE: WATER & SEWER SERVICE WILL BE ON SITE SEPTIC & WELL.

**PROPOSED DEVELOMENT:** THE PLAN IS TO SUBDIVIDE 17.559 ACRE LOT AROUND EXISTING DWELLING AND IMPROVEMENTS. THE REMAING LOT WILL BE 28.165 ACRES

CITIZEN PARTICIPATION PLAN: WE HAVE MAILED THE ADJOINING PROPERTY OWNER'S NEXT TO THE 45.724 ACRE PARCELTO INFORM THEM WHAT THEY ARE PROPOSING FOR THIS SITE. THE ADJOINING OWNERS WE CONTACTED WERE BARBARA A. BELDEN, KENTFIELD PROPERTY OWNERS ASSOCIATES INC., DONALD L. ITNYE, RALPH M. VAN DYKE, JENNIFER L. STRINE, WALTER V. TURNER, WALTER D. STOCKBRIDGE, SUSAN V. LANCASTER, ADAM M. MELVIN, DAVID L. BAMKS, AND JONTHAN C. FITCH. LETTER'S WERE SENT TO THEM AUGUST 13, 2021





### Kent County Department of Planning, Housing, and Zoning

To: Kent County Planning Commission From: Carla Gerber, Deputy Director

Meeting: November 4, 2021

Subject: Cliff Road Properties, LLC – Great Oak Manor

Final Site Plan Review - Cottages

#### **EXECUTIVE SUMMARY**

#### **Request by Applicant**

The applicant is proposing improvements to expand and enhance their existing county inn use. In Ocotber, they were granted preliminary approval to construct two, free-standing cottages, which will have two guest rooms per cottage, included in the project are associated pedestrian walkways and expansion of the guest parking area.

#### **Public Process**

Per Maryland State Law and Article VI, Section 5 of the Kent County *Land Use Ordinance* the Planning Commission shall review and approve Major Site Plans.

#### **Summary of Staff Report**

The 8.515- acre property, located at 10568 Cliff Road, is zoned Critical Area Residential and fronts onto the Chesapeake Bay. The surrounding area is a mix residential, agricultural, and marine uses. The proposed improvements are an expansion of an existing permitted use. The proposal complies with the lot coverage limits and a Major Buffer Enhancement Plan has been submitted. A citizen participation meeting was held on December 10, 2020.

#### **Staff Recommendation**

Staff recommends granting final approval of the proposed cottages.

#### PRELIMINARY STAFF REPORT

To: Kent County Planning Commission From: Carla Gerber, Deputy Director

Subject: 20-41, Cliff Road Properties, LLC (Great Oak Manor)

Preliminary Site Plan Review – Cottages, walkways, expanded guest parking

Date: October 29, 2021

#### **Description of Proposal**

The applicants are proposing two, free-standing cottages, which will increase the number of available guest rooms to the maximum fifteen rooms permitted for country inns. Each cottage will have two guest rooms and a common area separating the rooms. Great Oak Manor currently has thirteen guest rooms. Two rooms will be taken out of service in the Manor House once the cottages are built. Associated pedestrian walkways connecting the cottages to the Manor House and an expansion of the guest parking area are also included in the application.

Great Oak Manor's 8.515-acre property is zoned Critical Area Residential (CAR) and is located at 10568 Cliff Road adjacent to the Chesapeake Bay. Great Oak Estates and Great Oak Landing Marina are to the south and additional residential uses are to the north. The property is currently improved with a 3-story dwelling known as the "Manor House" and a detached garage. The surrounding area is characterized by residential development, agricultural, and marine uses. A permanent base area for erecting tents was approved in August.

#### **History**

In July 1984, the Kent County Board of Appeals approved Country Inn Special Exception Case No. 394. In September 2017, the Board of Appeals approved an amendment to the special exception to replace the original conditions with conditions that are consistent with the current requirements for country inns in the Land Use Ordinance.

In 2018, Cliff Road Properties, LLC, submitted a zoning text amendment to amend Article VII, Section 7.16.f of the Kent County Land Use Ordinance (Country Inn Special Exception Use) to remove the provision that set forth the limitation on extension or enlargement of structures which existed as of August 1, 1989 and replace it with a requirement which addresses consistency of features and character of any extension or enlargement of principal and accessory structures that existed prior to August 1, 1989. The text amendment was adopted in March 2019.

In October 2021, the Planning Commission granted preliminary approval of the cottages with conditions limiting the extension and enlargement to the two proposed cottages and no permanent roof over the approved tent area. The applicant also needed to update the Buffer Enhancement Plan.

#### **Relevant Issues**

#### I. Uses

- A. Comprehensive Plan: "Retain and promote existing businesses and assist in their growth." (page 8)
- B. *Applicable Law*: Article VII, Section 7.16 of the Kent County Land Use Ordinance permits Country Inns as a special exception in the Critical Area Residential District.
- C. Staff and TAC Comments: A country inn has been operating on this site since 1984. The proposed cottages allow the inn to offer guest suites with a little more privacy than individual rooms in the Manor House. The

cottages will be located towards the cliff, but outside of the buffer. Once the cottages are constructed, two rooms will be removed from service in the Manor House, and the total number of rooms will be fifteen.

As part of preliminary review, the Planning Commission determined that the proposed elevations "maintain features and character that are consistent with the structures that existed as of August 1, 1989." The Planning Commission did not require any alterations to the proposed elevations.

#### III. District Environmental Standards

- A. Comprehensive Plan: "Encourage comprehensive stormwater management." (Page 23)
- B. Applicable Law: Article V, Section 5.7 in the Kent County Land Use Ordinance establishes the Critical Area Environmental Design Standards, which include stormwater and Critical Area standards. The purpose of these standards is to provide for the proper stewardship of the County's natural resources. Specifically, it is the overall goal of the County to maintain the quality of the County's ecosystem in the face of continuing activity, growth and change.
  - Article VI, Section 9 of the Kent County Land Use Ordinance sets forth the provisions for Erosion and Sediment Control and Section 10, Stormwater Management.
- C. Staff and TAC Comments: A Buffer Enhancement Plan is required for the increase in lot coverage. The mitigation requirement for the cottages, walkways and parking areas is 9,863 square feet. Mitigation consists of a mix of canopy and understory trees, large and small shrubs, and grasses. The applicant has updated the BEP to not exceed the maximum percentage of grasses, but the amount of total mitigation still needs to be corrected to reflect that the tent area will not be replaced by a pavilion. The BEP also still shows the proposed pavilion. The plan needs to be corrected to reflect the approved tent area.

Stormwater and sediment control plans have been submitted for final review.

#### IV. Parking and Loading Requirements

- A. Applicable Law: Article VI, Section 1.3 of the Kent County Land Use Ordinance establishes the parking standards. Parking for lodging facilities is 1 space per guest room, plus 1 per employee.
- B. Staff and TAC Comments: The parking area associated with the guest rooms will be expanded to have fifteen spaces. There are additional parking areas for staff.

#### V. Site Plan Review

- A. Comprehensive Plan: "Implement thorough design review for new development and major renovations." (Page 33)
- B. Applicable Law: Article VI, Section 5.3 of the Kent County Land Use Ordinance establishes site plan review procedures. The Planning Commission shall prepare findings of fact concerning the reasonable fulfillment of the objectives listed below.
  - a. Conformance with the Comprehensive Plan and, where applicable, the Village Master Plan.
  - b. Conformance with the provisions of all applicable rules and regulations of county, state, and federal agencies.
  - c. Convenience and safety of both vehicular and pedestrian movement within the site and in relationship to adjoining ways and properties.
  - d. Provisions for the off-street loading and unloading of vehicles incidental to the normal operation

- of the establishment, adequate lighting, and internal traffic control.
- e. Reasonable demands placed on public services and infrastructure.
- f. Adequacy of methods for sewage and refuse disposal, and the protection from pollution of both surface waters and groundwater. This includes minimizing soil erosion both during and after construction.
- g. Protection of abutting properties and County amenities from any undue disturbance caused by excessive or unreasonable noise, smoke, vapors, fumes, dust, odors, glare, stormwater runoff, etc.
- h. Minimizing the area over which existing vegetation is to be removed. Where tree removal is required, special attention shall be given to planting of replacement trees.
- i. The applicant's efforts to integrate the proposed development into the existing landscape through design features such as vegetative buffers, roadside plantings, and the retention of open space and agricultural land.
- j. The applicant's efforts to design the development to complement and enhance the rural and historic nature of the County including incorporating into the project forms and materials that reflect the traditional construction patterns of neighboring communities.
- k. The building setbacks, area, and location of parking, architectural compatibility, signage, and landscaping of the development, and how these features harmonize with the surrounding townscape and the natural landscape.

#### C. Staff and TAC Comments:

- The proposal is consistent with strategies and goals of the Comprehensive Plan.
- The property is served by private well and septic. A new well was recently installed. Additional septic reserve area has been shown on the site plan.
- Stormwater and sediment control plans have been submitted for review.
- A Buffer Enhancement Plan has been submitted. A mix of trees, shrubs, and grasses will be planted in the buffer.
- A parking plan has been provided. Sufficient parking is available.
- A Citizens Participation meeting was held on December 10, 2020.

#### **Staff Recommendation**

Staff recommends granting final approval of the cottages with the following conditions:

- 1. The final Landscape/Buffer Enhancement Plan be updated to reflect the increase in lot coverage for this phase of the project.
- 2. Final approval of the sediment control and stormwater management plans for this phase of the project.
- 3. Submission of all required Letters of Credit or proof of other surety for this phase of the project.



Davis, Moore, Shearon & Associates, LLC

October 18, 2021

Mr. William Mackey, Planning Director Kent County Department of Planning & Zoning 400 High Street Chestertown, Maryland 21620

RE: FINAL SITE PLAN SUBMITTAL FOR PROPOSED COTTAGES FOR GREAT OAK MANOR, LOCATED NEAR CHESTERTOWN, KENT COUNTY, MARYLAND KENT COUNTY TAX MAP 26, PARCEL 76, DMS & ASSOCIATES JOB #2017055

Dear Mr. Mackey,

Cliff Road Properties, LLC (owner of Great Oak Manor) had received preliminary site plan approval from the Kent County Planning Commission, at the October 7, 2021 meeting, for the proposed cottages and other site improvements to complement the existing Great Oak Manor Country Inn.

Our client is now requesting final site plan approval for the cottages and other site improvements associated with the cottages. Attached please find the following information in support of that request.

- Two copies of the site plans
- Two copies of the revised buffer management plans
- Two copies of the cover letter
- Cost estimates

We request that this application be placed on the agenda for the November 4, 2021 planning commission meeting agenda for final site plan approval.

To address the conditions by the Planning Commission for the preliminary site plan approval we offer the following.

- 1- The attached buffer management plans have been revised such that no more that 10% of the plantings are grasses.
- 2- The existing (new) well and septic reserve area/system are adequate to accommodate the project based on our discussions and correspondence with the Kent County Health Department.
- 3- The stormwater management and sediment and erosion control plans have been reviewed for preliminary site plan approval and our now under review for final approval.
- 4- The bank previously provided a letter stating that they were in a position to issue any letters of credit needed. Attached are our current estimates for stormwater management system, sediment control measures and landscaping/buffer plantings needed to serve the cottages.
- 5- There are no changes to the cottages plan footprint or the elevations for the cottages.

6- We have modified the state of purpose and intent on Sheet C-1 to indicate that the Cliff Road Properties, LLC agrees to the condition that no more cottages and no pavilions will be proposed.

If you have any questions please feel free to contact me at 443-262-9130.

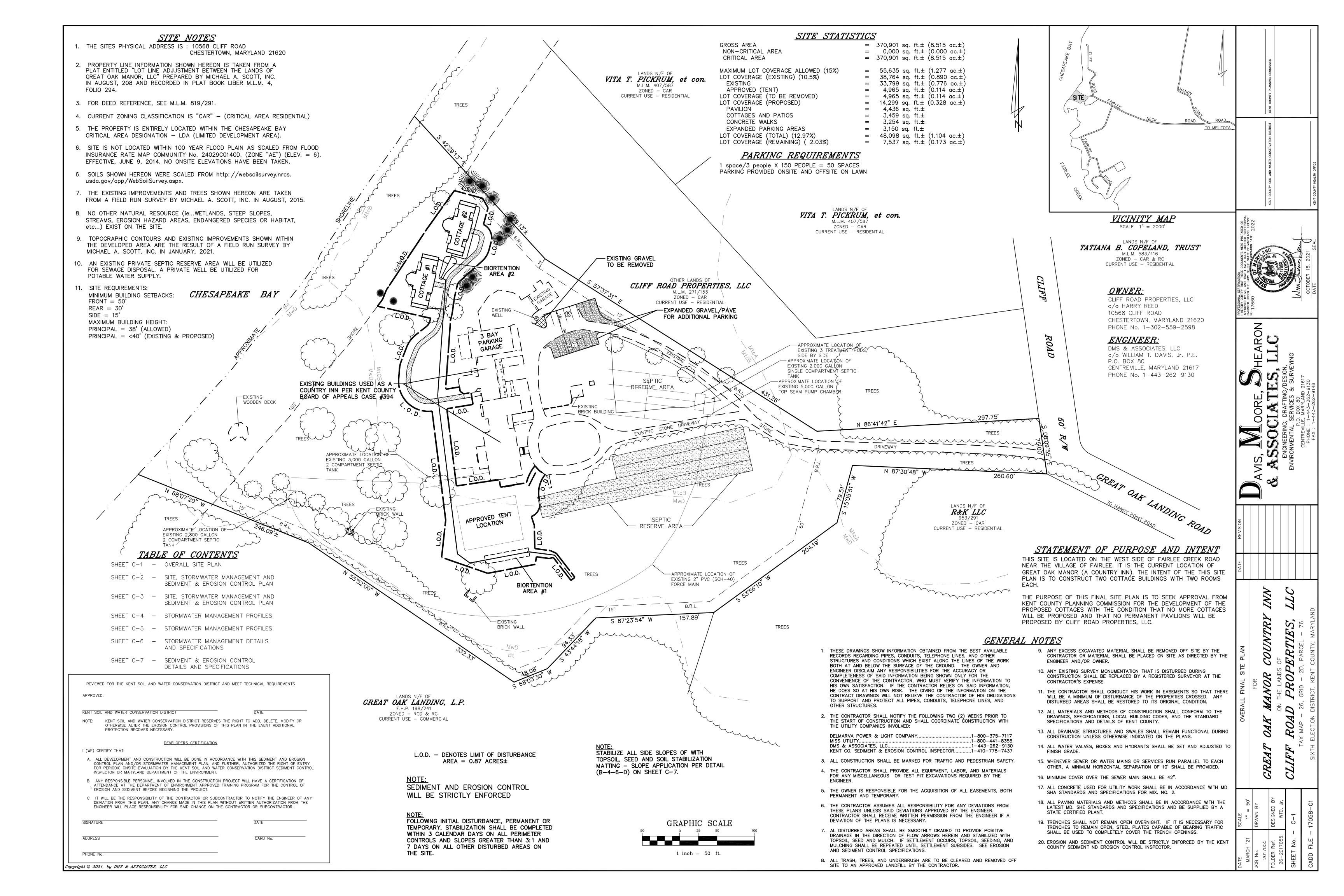
Sincerely,

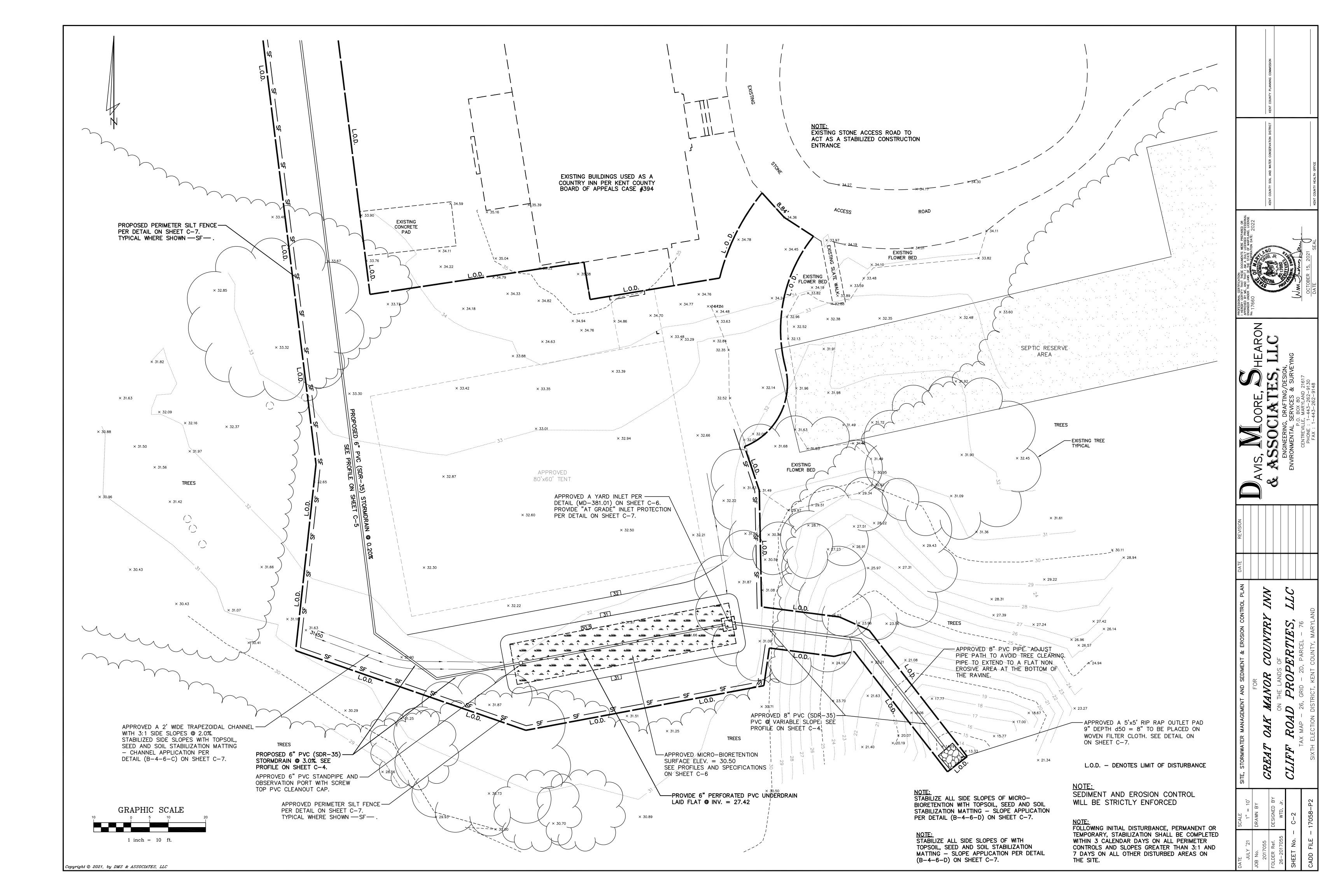
DMS & Associates, LLC

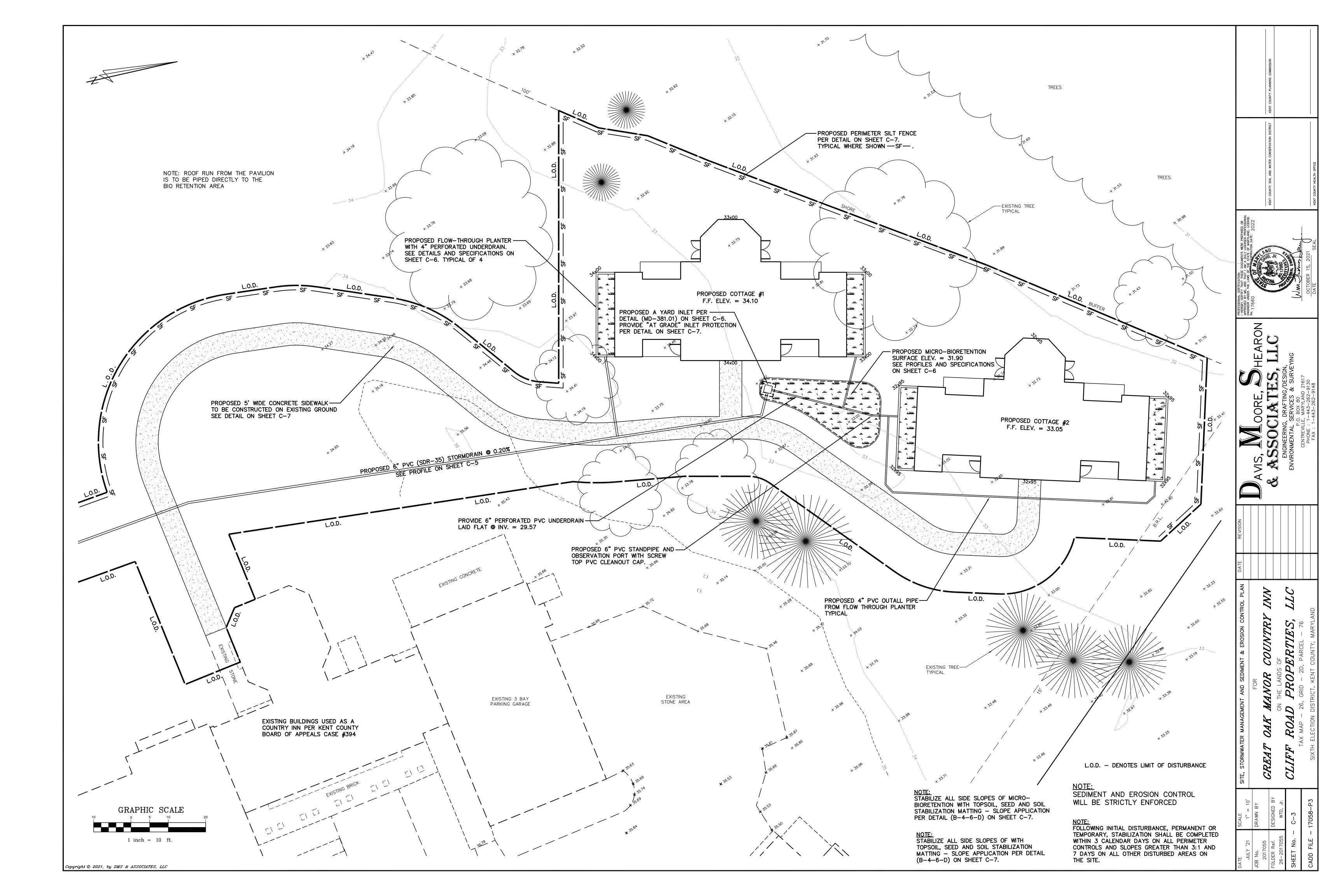
Wm Thomas Davis, Jr., PE

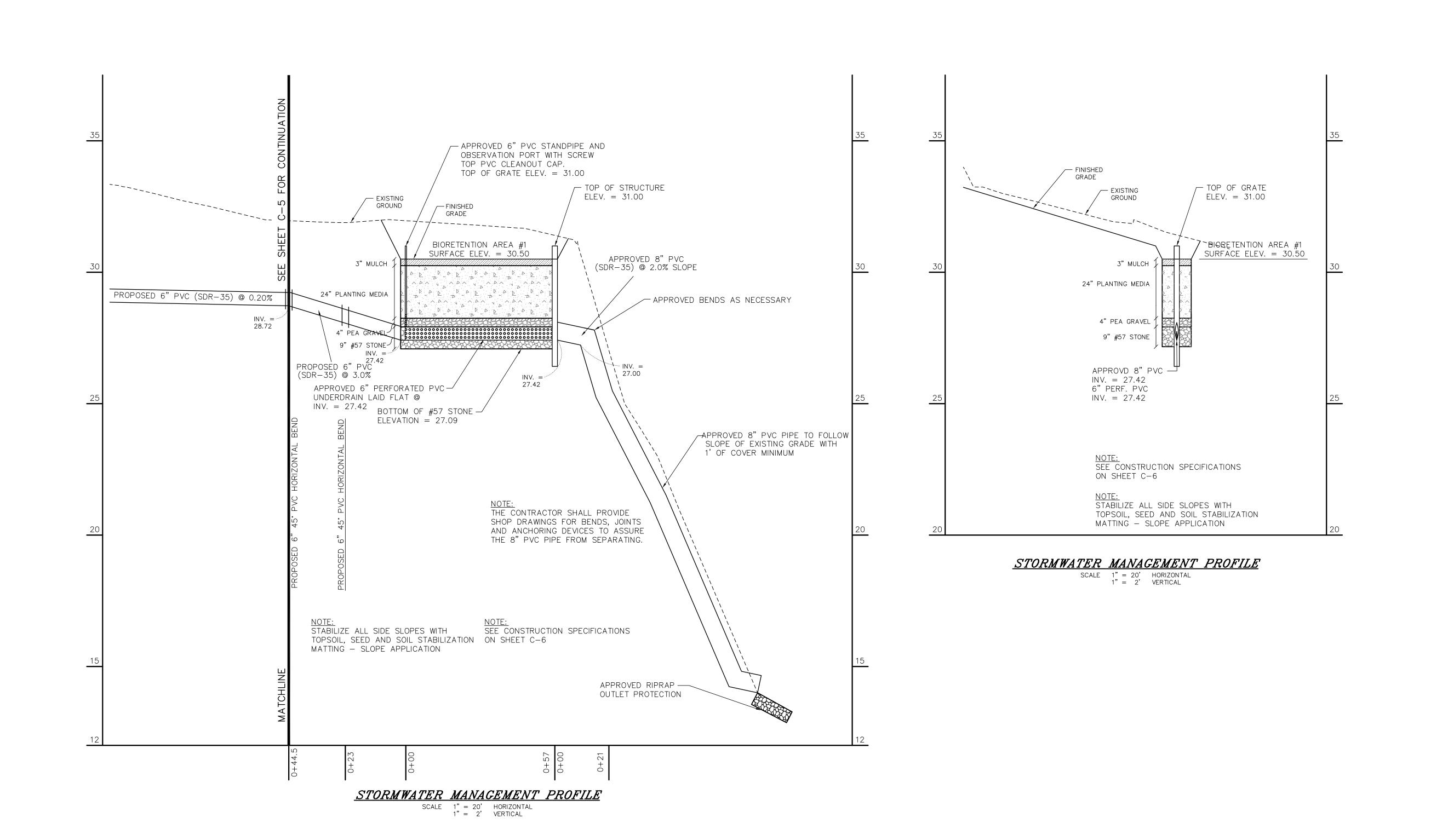
Enclosures

pc: Buddy Reed, Great Oak Manor









DATE REVISION

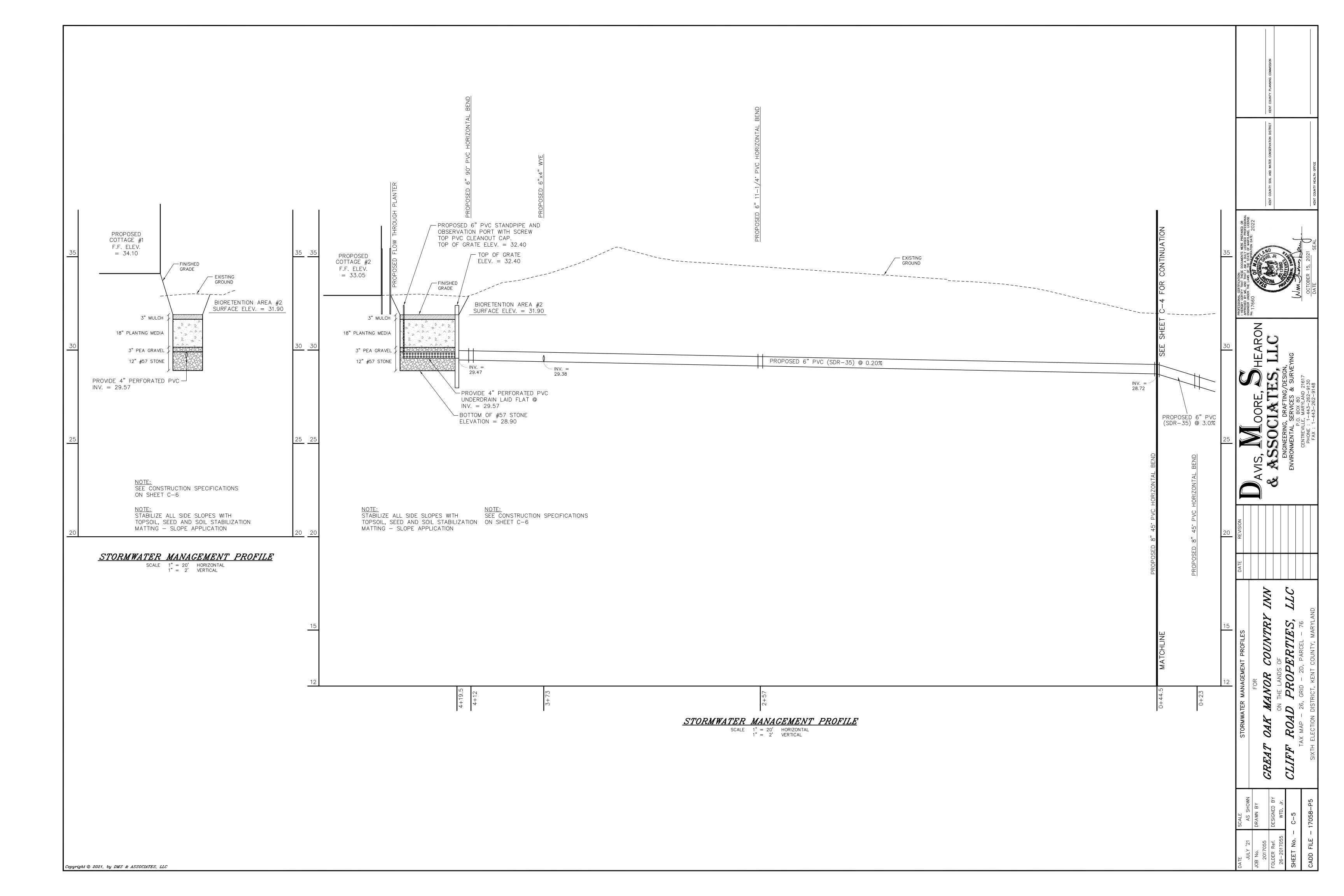
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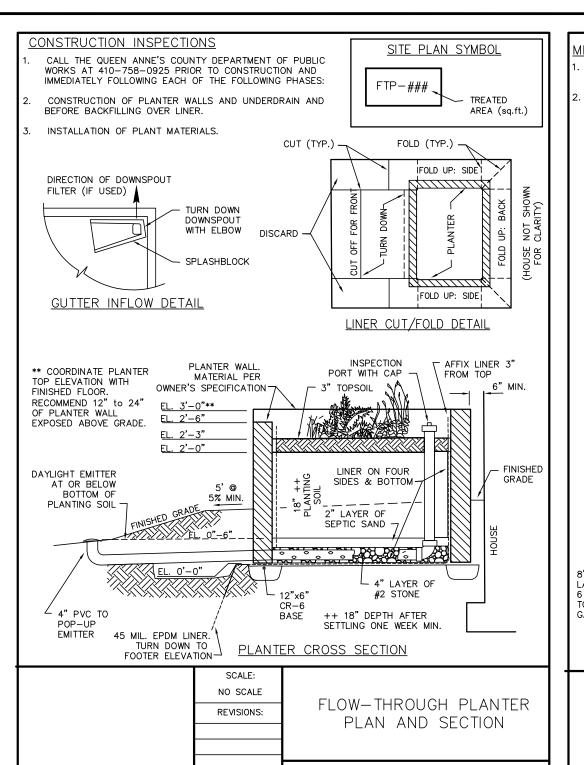
ENGINEERING, DRAFTING/DESIGN,

ENVIRONMENTAL SERVICES & SURVEYING

CENTREVILLE, MARYLAND 21617

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OBSERVATION PORT/CLEANOUT FOR STORMWATER AREAS

EACH OBSERVATION PORT/CLEANOUT SHALL INCLUDE THE FOLLOWING

EQUAL WITH AN INSIDE DIAMETER OF AT LEAST 6 INCHES.

1. FOR AN UNDERGROUND FLUSH MOUNTED OBSERVATION PORT/CLEANOUT,

PROVIDE A TUBE MADE OF NON-CORROSIVE MATERIAL, SCHEDULE 40 OR

2. THE TUBE SHALL HAVE A FACTORY ATTACHED CAST IRON OR HIGH IMPACT THE TOPE STALE HAVE A FACTORY ATTACHED CAST INON ON HIGH IMPACT PLASTIC COLLAR WITH RIBS TO PREVENT ROTATION WHEN REMOVING SCREW TOP LID. THE SCREW TOP LID SHALL BE CAST IRON OR HIGH IMPACT PLASTIC THAT WILL WITHSTAND ULTRA-VIOLET RAYS.

<u>OBSERVATION PORT/CLEANOUT</u>

3'ø OF PEA GRAVEL AROUND LID

6" PEA GRAVEL

PROVIDE 90' ELBOW CONNECTION TO -

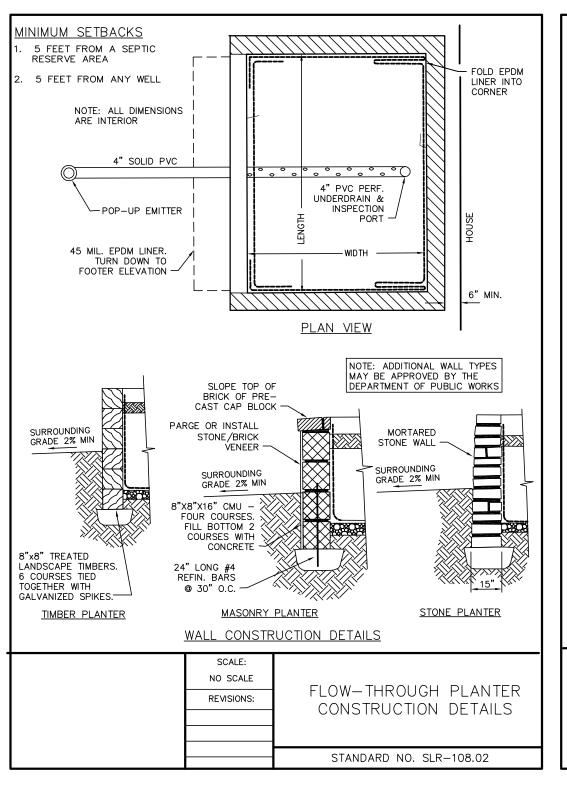
STANDARD NO. SLR-108.01

WITH COUNTERSUNK HEAD

ABOVE DETAIL PROVIDED AS SCHEMATIC

──PIPE SEAL GASKET

6" PVC SOLID PIPE



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STANDARD NO. SLR-108.03

INSPECTION REQUIREMENTS DURING CONSTRUCTION THE CONTRACTOR SHALL NOTIFY THE CAROLINE COUNTY PLANNING AND CODES DEPARTMENT STORMWATER ENGINEER AT 410-479-8100 THREE (3) DAYS IN ADVANCE OF BEGINNING CONSTRUCTION FOR THE FOLLOWING:

INSTALLATION OF CLOSED STORMDRAIN SYSTEMS: (a) DURING EXCAVATION TO SUBGRADE (b) DURING PLACEMENT OF PIPES

(c) DURING CONSTRUCTION OF ANY APPURTENANT CONVEYANCE SYSTEMS (d) DURING COMPLETION OF FINAL GRADING AND ESTABLISHMENT OF PERMANENT

FOR BIORETENTION AREAS:

(a) DURING EXCAVATION TO SUBGRADE: DURING PLACEMENT OF BACKFILL UNDERDRAIN SYSTEMS;

DURING PLACEMENT OF PEA GRAVEL, STONE AND ALL FILTER MEDIA: (d) DURING CONSTRUCTION OF ANY APPURTENANT CONVEYANCE SYSTEMS SUCH AS DIVERSION STRUCTURES, INLETS, OUTLETS, AND FLOW DISTRIBUTION

(e) UPON COMPLETION OF FINAL GRADING AND ESTABLISHMENT OF PERMANENT STABILIZATION, AND BEFORE ALLOWING RUNOFF TO ENTER THE WETLAND.

FOR FLOW THROUGH PLANTERS: (a) DURING EXCAVATION TO SUBGRADE;

DURING PLACEMENT OF BACKFILL OF UNDERDRAIN SYSTEMS:

DURING PLACEMENT OF PEA GRAVEL AND ALL FILTER MEDIA: (d) DURING CONSTRUCTION OF APPURTENANT CONVEYANCE SYSTEMS SUCH AS FLOW DIVERSION STRUCTURES, PRE-FILTERS AND FILTERS, INLETS, OUTLETS,

ORIFICES AND FLOW DISTRIBUTION STRUCTURES: AND (b) UPON COMPLETION OF FINAL GRADING AND ESTABLISHMENT OF PERMANENT

FOR PERMEABLE PAVER:

(a) DURING EXCAVATION TO SUBGRADE;

(b) DURING PLACEMENT OF STONE AGGREGATE; UPON PLACEMENT OF PAVERS:

(d) UPON COMPLETION OF FINAL GRADING AND ESTABLISHMENT OF PERMANENT

FINAL LOT GRADING TO ENSURE COMPLIANCE WITH ROOFTOP AND NON-ROOFTOP DISCONNECTION CREDIT CRITERIA

B.4.C Specifications for Micro-Bioretention

Materials Specifications

The allowable materials to be used in bioretention area are detailed in Table B.4.1

Filtering Media or Planting Soil

The soil shall be a uniform mix, free of stones, stumps, roots or other similar objects larger than two inches. No other materials or substances shall be mixed or dumped within the bioretention area that may be harmful to plant growth, or prove a hindrance to the planting or maintenance operations. The planting soil shall be free of Bermuda grass, Quackgrass, Johnson grass, or other noxious weeds as specified under COMAR 15.08.01.05.

The planting soil shall be tested and shall meet following criteria:

-Soil Component - Loamy Sand or Sandy Loam (USDA Soil Textural Classification) -Organic Content - Minimum 10% by dry weight (ASTM D 2974). In general, this can be met with a mixture of loamy sand (60%-65%) and compost

(35% to 40%) or sandy loam (30%), coarse sand (30%), and compost (40%). -Clay Content - Media shall have a clay content of less than 5%. -pH Range - Should be between 5.5 - 7.0. Amendments (e.g., lime, iron sulfate plus sulfur) may be mixed into the soil to increase or decrease pH.

There shall be at least one soil test per project. Each test shall consist of both the standard soil test for pH, and additional tests of organic matter, and soluble salts. A textural analysis is required from the site stockpiled topsoil. If topsoil is imported, then a texture analysis shall be performed for each location where the topsoil was excavated.

Compaction

It is very important to minimize compaction of both the base of bioretention practices and the required backfill. When possible, use excavation hoes to remove original soil. If practices are excavated using a loader, the contractor should use wide track or marsh track equipment, or light equipment with turf type tires. Use of equipment with narrow tracks or narrow tires, rubber tires with large lugs, or high pressure tires will cause excessive compaction resulting in reduced infiltration rates and is not acceptable. Compaction will significantly contribute to design failure.

Compaction can be alleviated at the base of the bioretention facility by using a primary tilling operation such as a chisel plow, ripper, or subsoiler. These tilling operations are to refracture the soil profile through the 12 inch compaction zone. Substitute methods must be approved by the engineer. Rototillers typically do not till deep enough to reduce the effects of compaction from heavy equipment.

Rototill 2 to 3 inches of sand into the base of the bioretention facility before backfilling the optional sand layer. Pump any ponded water before preparing (rototilling) base.

When backfilling the topsoil over the sand layer, first place 3 to 4 inches of topsoil over the sand, then rototill the sand/topsoil to create a gradation zone. Backfill the remainder of the topsoil to

When backfilling the bioretention facility, place soil in lifts 12" to 18". Do not use heavy equipment within the bioretention basin. Heavy equipment can be used around the perimeter of the basin to supply soils and sand. Grade bioretention materials with light equipment such as a compact loader or a dozer/loader with marsh tracks.

Plant Material

See Landscape Plans.

Plant Installation

Compost is a better organic material source, is less likely to float, and should be placed in the invert and other low areas. Mulch should be placed in surrounding to a uniform thickness of 2" to 3". 3?. Shredded or chipped hardwood mulch is the only accepted mulch. Pine mulch and wood chips will float and move to the perimeter of the bioretention area during a storm event and are not acceptable. Shredded mulch must be well aged (6 to 12 months) for acceptance.

Rootstock of the plant materials shall be kept moist during transport and on—site storage. The plant root ball should be planted so 1/8th of the ball is above final grade surface. The diameter of the planting pit shall be at least six inches larger than the diameter of the planting ball. Set and maintain the plant straight during the entire planting process. Thoroughly water ground bed cover

Trees shall be braced using 2" by 2" stakes only as necessary and for the first growing season only. Stakes are to be equally spaced on the outside of the tree ball.

Grasses and legume seed should be drilled into the soil to a depth of at least one inch. Grass and legume plugs shall be planted following the non-grass ground cover planting specifications.

The topsoil specifications provide enough organic material to adequately supply nutrients from natural cycling. The primary function of the bioretention structure is to improve water quality. Adding fertilizers defeats, or at a minimum, impedes this goal. only add fertilizer if wood chips or mulch are used to amend the soil. Rototill urea fertilizer at a rate of 2 pounds per 1000 square

Underdrains

Underdrains should meet the following criteria (See profiles for modifications to specifications below): -Pipe-Should be 4" to 6" diameter, slotted or perforated rigid plastic pipe (ASTMF 758, Type PS 28, or AASHTO-M-278) in a gravel layer. The preferred material is slotted,

'' rigid pipe (e.g., PVC or HDPÉ). -Perforations-If perforated pipe is used, perforations should be ?? diameter located 6" on center with a minimum of four holes per row. Pipe shall be wrapped with a 1/2? (No. 4 or 4x4)

galvanized hardware cloth. -Gravel-The gravel layer (No. 57 stone preferred) shall be at least 3" thick above and below the underdrain. -The main collector pipe shall be at a minimum 0.5% slope. -A rigid, non-perforated observation well must be provided (one per every 1,0000 square feet) to provide a clean—out port and monitor performance of the filter. -A 4" layer of pea gravel (1/8" to 3/8" stone) shall be located between the filter media and

underdrain to prevent migration of fines into the underdrain. This layer may be considered part of the filter bed when bed thickness exceeds 24". The main collector pipe for underdrain systems shall be constructed at a minimum slope of 0.5%.

Observation wells and/or clean-out pipes must be provided (one minimum per every 1000 square feet of surface area).

Miscellaneous

The bioretention facility may not be constructed until all contributing drainage area has been stabilized.

## CONDITION IN THE STATE OF THE S

STORMWATER MANAGEMENT SUMMARY TABLE								
STEP No.	REQUIREMENT	VOLUME REQ.	VOLUME PRO.	NOTES				
1	ENVIRONMENTAL SITE DESIGN (ESDv)	0.018 ac.—ft.	0.028 ac.—ft.	MICRO-BIORETENTION AREA				
2	RECHARGE (Rev)	0.001 ac.—ft.	0.001 ac.—ft.	MICRO-BIORETENTION AREA				
3	CHANNEL PROTECTION (Cpv)	N/A	N/A	MET BY ESD TO THE MEP				
4	OVERBANK FLOOD (Qp)	N/A	N/A	N/A				
5	EXTREME FLOOD (Qf)	N/A	N/A	N/A				

## MICRO-BIORETENTION MAINTENANCE SCHEDULE

MIOITO DIOITHIL	1111011 12	HIIVI DIVINOD E	
DESCRIPTION	METHOD	FREQUENCY	TIME OF THE YEAR
SOIL			
INSPECT AND REPAIR EROSION, RESEED	VISUAL	MONTHLY	MONTHLY
ORGANIC LAYER			
TOPSOIL MEDIA SHALL BE REMOVED AND REPLACED WHEN PONDING DRAWDOWN EXCEEDS 48 HOURS	VISUAL	AFTER MAJOR STORM EVENTS	WHENEVER NEEDED
PLANTS			
REMOVAL AND REPLACEMENT OF ALL DEAD AND DISEASED VEGETATION CONSIDERED BEYOND TREATMENT	SEE PLANTING SPECS.	TWICE A YEAR	3/15 to 4/30 AND 10/1 to 11/30
INSPECT FOR DISEASE/PEST PROBLEMS	VISUAL	ONCE A MONTH (AVERAGE)	INSPECT MORE FREQUENTLY IN WARMER MONTHS
DETERMINE IF TREATMENT IS WARRANTED. USE LEAST TOXIC TREATMENT APPROACH	BY HAND	N/A	VARIES, DEPENDS ON DISEASE OR INSECT INFESTATION
WATERING OF PLANT MATERIAL SHALL TAKE PLACE FOR FOURTEEN CONSECUTIVE DAYS AFTER PLANTING HAS BEEN COMPLETED UNLESS THERE IS SUFFICIENT NATURAL RAINFALL	BY HAND	IMMEDIATELY AFTER COMPLETION OF PROJECT	N/A

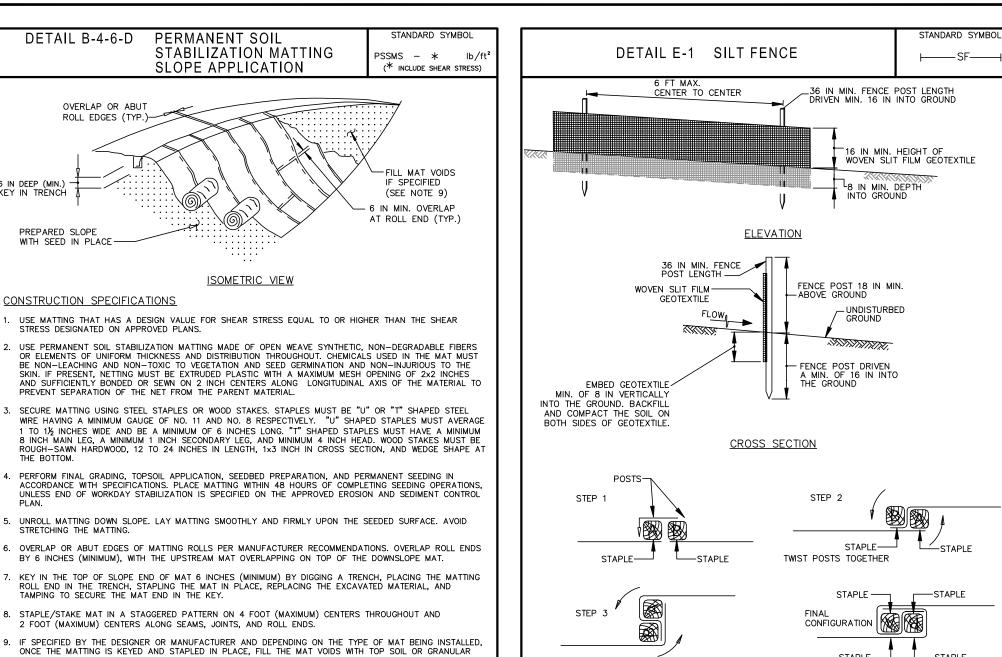
## MATERIAL SPECIFICATIONS FOR MICRO-BIORETENTION,

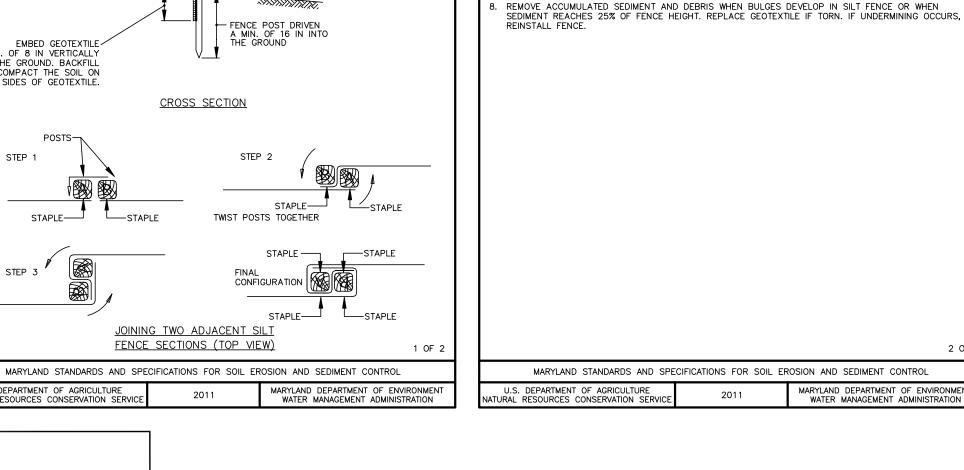
	<u> </u>	•	
MATERIAL	SPECIFICATION	SIZE	NOTES
PLANTINGS	SEE LANDSCAPE PLANS	SEE PLAN	PLANTINGS ARE SITE-SPECIFIC - SEE LANDSCAPE PLAN
PLANTINGS SOILS (2' to 4' DEEP)	LOAMY SAND (60% to 65%) & COMPOST (35% to 40%) or SANDY LOAM (30%), COARSE SAND (30%) & COMPOST (40%)	N/A	USDA SOIL TYPES LOAMY SAND OR SANDY LOAM; CLAY CONTENT < 5%
ORGANIC CONTENT	Min. 10% BY DRY WEIGHT (ASTM D 2974)		
PEA GRAVEL DIAPHRAGM	PEA GRAVEL; ASTM-D-448	No. 8 or No. 9 (1/8" to 3/8")	
CURRENT DRAIN	ORNAMENTAL STONE; WASHED COBBLES	STONE: 2" to 5"	
GEOTEXTILE	SEE APPENDIX A, TABLE A.4	N/A	PE TYPE 1 NONWOVEN
GRAVEL (UNDERDRAINS AND INFILTRATION BERMS)	AASHTO M-43	No. 57 or No. 6 AGGREGATE (3/8" to 3/4")	
UNDERDRAIN PIPING	F 758, TYPE PS 28 or AASHTO M-278	4" to 6" RIGID (SCH-40) PVC or SDR-35	SLOTTED OR PERFORATED PIPE; 3/8" PERF. © 6" ON CENTER, 4 HOLES PER ROW; MINIMUM OF 3" OF GRAVEL OVER PIPES; NOT NECESSARY UNDERNEATH PIPES. PERFORATED PIPE SHALL BE WRAPPED WITH 1/4" GALVANIZED HARDWARE CLOTH
POURED IN PLACE CONCRETE (IF REQUIRED)	MSHA MIX No. 3; f <sub>C</sub> = 3500 psi @ 28 DAYS, NORMAL WEIGHT, AIR-ENTRAINED; REINFORCING TO MEET ASTM-615-60	N/A	ON-SITE TESTING OF POURED-IN-PLACE CONCRETE REQUIRED:  28 DAY STRENGTH AND SLUMP TEST; ALL CONCRETE DESIGN (CAST-IN-PLACE OR PRE-CAST) NOT USING PREVIOUSLY APPROVED STATE OR LOCAL STANDARDS REQUIRES DESIGN DRAWINGS SEALED AND APPROVED BY A PROFESSIONAL STRUCTURAL ENGINEER LICENSED IN THE STATE OF MARYLAND - DESIGN TO INCLUDE MEETING ACI CODE 350.R/89; VERTICAL LOADING [H-10 OR H-20]; ALLOWABLE HORIZONTAL LOADING (BASED ON SOIL PRESSURES); AND ANALYSIS OF POTENTIAL CRACKING
SAND	AASHTO M-6 or ASTM-C-33	0.02" to 0.04"	SAND SUBSTITUTIONS SUCH AS DIABASE AND GRAYSTONE (AASHTO) #10 ARE NOT ACCEPTABLE. NO CALCIUM CARBONATED OR DOLOMITIC SAND SUBSTITUTION ARE ACCEPTABLE. NO "ROCK DUST" CAN BE USED FOR SAND



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DETAIL E-1 SILT FENCE

. USE WOOD POSTS  $1\frac{1}{4}$  X  $1\frac{1}{4}$   $\pm$   $\frac{1}{16}$  Inch (Minimum) square cut of sound quality hardwood. As an alternative to wooden post use standard "t" or "u" section steel posts weighing not less than 1 pound per linear foot.

USE 36 INCH MINIMUM POSTS DRIVEN 16 INCH MINIMUM INTO GROUND NO MORE THAN 6 FEET APART.

3. USE WOVEN SLIT FILM GEOTEXTILE AS SPECIFIED IN SECTION H-1 MATERIALS AND FASTEN GEOTEXTILE SECURELY TO UPSLOPE SIDE OF FENCE POSTS WITH WIRE TIES OR STAPLES AT TOP AND

EMBED GEOTEXTILE A MINIMUM OF 8 INCHES VERTICALLY INTO THE GROUND. BACKFILL AND COMPACT

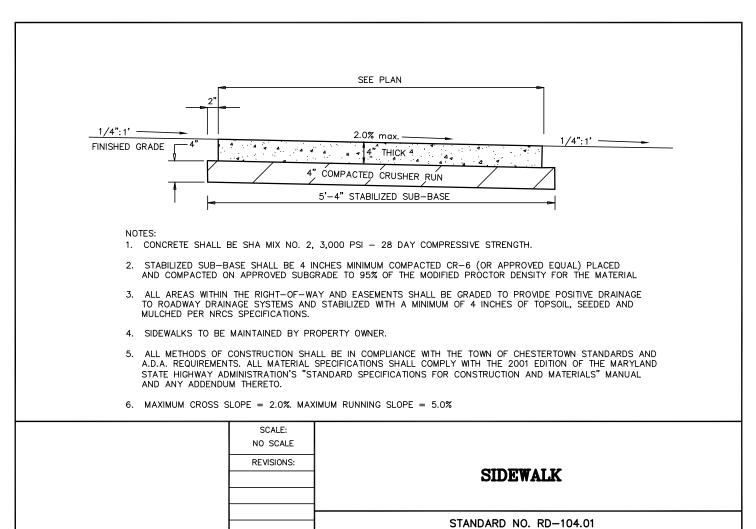
PROVIDE MANUFACTURER CERTIFICATION TO THE AUTHORIZED REPRESENTATIVE OF THE INSPECTION/ENFORCEMENT AUTHORITY SHOWING THAT THE GEOTEXTILE USED MEETS THE REQUIREMENTS IN SECTION H-1 MATERIALS.

WHERE TWO SECTIONS OF GEOTEXTILE ADJOIN: OVERLAP, TWIST, AND STAPLE TO POST IN

EXTEND BOTH ENDS OF THE SILT FENCE A MINIMUM OF FIVE HORIZONTAL FEET UPSLOPE AT

REMOVE ACCUMULATED SEDIMENT AND DEBRIS WHEN BULGES DEVELOP IN SILT FENCE OR WHEN

⊢——SF——



MATERIAL AND LIGHTLY COMPACT OR ROLL TO MAXIMIZE SOIL/MAT CONTACT WITHOUT CRUSHING MAT

10. ESTABLISH AND MAINTAIN VEGETATION SO THAT REQUIREMENTS FOR ADEQUATE VEGETATIVE ESTABLISHMENT ARE CONTINUOUSLY MET IN ACCORDANCE WITH SECTION B-4 VEGETATIVE STABILIZATION.

MARYLAND STANDARDS AND SPECIFICATIONS FOR SOIL EROSION AND SEDIMENT CONTROL

U.S. DEPARTMENT OF AGRICULTURE ATURAL RESOURCES CONSERVATION SERV

## GENERAL NOTES

- 1. Notification of Kent County (410-778-7437) at least five (5) days prior to the start of work.
- 2. Prior to the start of work, the Contractor is to obtain County approval of any proposed plan changes and sequence of construction, specifically relating to installation, inspection, maintenance and removal of erosion and sediment
- 3. Sediment control measures are not to be removed until the areas served have established vegetative cover, or with the permission of the Kent County Sediment Control Inspector.
- 4. When pumping sediment—laden water, the discharge must be directed to an approved sediment trapping measure prior to release from the site.
- 5. All temporary stockpiles are to be located within areas protected by sediment control measures, and are to be temporary stabilized.
- 6. All sediment control dikes, swales, basins and flow lines to basins will be temporarily seeded immediately upon installation to reduce the contribution to sediment loading.
- 7. Disposal of excess earth materials on State or Federal property requires MDE Approval, otherwise materials are to be disposed of at a location approved by the local authority.
- 8. Temporary soil erosion control and sediment control measures are to be provided as per the approved plan prior to grading operations. Location adjustments are to be made in the field as necessary. The minimum area practical shall be disturbed for the minimum possible time.
- 9. If grading is completed out of a seeding season, graded areas are to be temporarily stabilized by mulch and mulch anchoring. Mulch material shall be unweathered, unchopped small grain straw spread at the rate of 1« to 2 tons per acre. Mulch anchoring to be accomplished by an approved method, use of a mulch anchoring tool is recommended where possible.
- 10. Implementation of the sediment control plan shall be in accordance with the "1994 Maryland Standards and Specifications for Soil Erosion and Sediment Control", of the Department.
- 11. The Contractor is responsible for implementation and maintenance of the approved plan, and all other measures necessary to control, filter, or prevent sediment from leaving the site.
- 12. In case where stormwater management structures are a part of site development, removal of sediment control structures may not be accomplished before the contributing drainage area to the stormwater management structure is dewatered and stabilized.
- 13. On sites where infiltration techniques are utilized for the control of stormwater, extreme care must be taken to prevent all runoff from entering the structure during construction.
- 14. Sediment control for utility construction in areas outside of designed controls:
  - (a) Excavated trench material shall be placed on the high
  - (b) Immediately following pipe installation the trench shall be backfilled, compacted and stabilized at the end of each working day.
  - (c) Temporary silt fence or straw bale dikes shall be placed immediately downstream of any disturbed area intended to remain disturbed longer than one working day.
- 15. All points on construction ingress and egress shall be protected to prevent tracking of mud onto public ways.
- 16. Site information:

Total Area of Site Area Disturbed Area to be Roofed or Paved Total Cut Total Fill	0.87	,
TOTAL TIII	U	Су

## SEQUENCE OF CONSTRUCTION

- 1. CONTACT THE KENT COUNTY SEDIMENT AND EROSION CONTROL INSPECTOR AT 410-778-7437 A MINIMUM OF 2 WEEKS PRIOR TO THE START OF CONSTRUCTION TO SCHEDULE A PRECONSTRUCTION MEETING PRIOR TO INITIATION OF ANY GRADING ACTIVITY.
- 2. INSTALL SILT FENCE AT THE LOCATIONS SHOWN.
- 3. STRIP THE TOPSOIL FROM THE LIMITS OF THE COTTAGES AND BIORETENTION AREAS AND DISPOSE OF OFF SITE AT AN APPROVED LANDFILL.
- 4. BEGIN COTTAGE CONSTRUCTION.
- 5. ONCE THE COTTAGES HAVE BEEN CONSTRUCTED EXCAVATE THE AREAS FRO BIORETENTION SYSTEMS AND DISPOSE OF EXCESS EXCAVATED MATERIAL OFF SITE AT AN APPROVED LANDFILL. INSTALL THE BIORETENTION AND FLOW THRU PLANTER SYSTEMS PER PLAN, PROFILE AND SPECIFICATIONS. STABILIZE ALL DISTURBED AREAS WITH TOPSOIL, SEED AND MULCH. INSTALL LANDSCAPING IN FILTERING SYSTEMS.
- 6. STRIP TOPSOIL FROM EXPANDED PARKING AREAS AND WALKS AND DISPOSE OF OFF SITE AT AN APPROVED LANDFILL. INSTALL EXPANDED PARKING AREAS AND PROPOSED CONCRETE WALKS.
- 7. UPON SUBSTANTIAL COMPLETION OF THE BIORETENTION AREAS AND OTHER SITE IMPROVEMENTS, STABILIZE ALL DISTURBED AREAS WITH SEED AND MULCH.
- 8. UPON APPROVAL FROM THE KENT COUNTY SEDIMENT CONTROL INSPECTOR, REMOVE ALL TEMPORARY SEDIMENT AND EROSION CONTROL DEVICES AND STABILIZE ALL DISTURBED AREAS PER PERMANENT STABILIZATION SPECIFICATIONS FOUND ON THIS SHEET.

## EROSION & SEDIMENT CONTROL STANDARDS AND SPECIFICATIONS

## VEGETATIVE STABILIZATION

- 1.) Contractor shall install soil erosion and sediment control devices prior to any grading. Following initial disturbance or re-disturbance, permanent or temporary stabilization shall be completed within three (3) calendar days as to the surface of all perimeter controls, dikes, swales, ditches, perimeter slopes greater than three (3) horizontal to one (1) vertical (3:1) and seven days (7) as to all other disturbed or graded areas on the
- 2.) All temporary erosion and sediment control devices are to be provided as indicated on this plan, with location adjustments to be made in the field as necessary, and to be maintained at the end of each working day until project completion. The minimum area practical shall be disturbed for the minimal amount of time possible.
- 3.) Clearing and grubbing shall include all trees, brush, debris, root mat and organic materials to be removed.
- 4.) Temporary seeding shall be accomplished between February 15th through April 30th, or August 15th through November 30th. During other times, temporary mulching shall be
- 5.) Temporary seeding shall conform to the following applications: 436 lbs. per acre of 10-20-20; 4,000 lbs. per acre of ground limestone, to be incorporated into the soil by disking or other suitable means. Annual rye grass shall be applied at a rate of 50 lbs. per acre using suitable equipment. Mulching shall be accomplished immediately after

	Seed M	- III	Line			
No.	Species	Appl. Rate (Ibs./ac.)	Seeding Dates	Seeding Depths	Fertilizer Rate (10-20-20)	Lime Rate
	ANNUAL RYE GRASS	50 lbs.	2/15-4/30 8/15-11/30	1/2"		
	BARLEY OATS WHEAT CEREAL RYE	72 lbs. 120 lbs.	2/15-4/30, 8/15-11/30 2/15-4/30, 8/15-11/30 2/15-4/30, 8/15-11/30 2/15-4/30, 8/15-12/15		436 lb/ac 10 lb/ 1000 sf	2 tons/ac 90 lb/ 1000 sf
	FOXTAIL MILLET PEARL MILLET	30 lbs. 20 lbs.	5/1-8/14 5/1-8/14	1/2"		

- 6.) Mulching shall be unchopped, unrotted, small grain straw applied at a rate of  $2-2 \frac{1}{2}$ tons per acre. Anchor mulch with a mulch anchoring tool on the contour. Wood cellulose fiber may be used for anchoring straw at 750 lbs. per acre mixed with water at a maximum of 50 lbs. of wood cellulose fiber per 100 gals of water, or with a synthetic liquid binder according to manufacture recommendations. Wood cellulose fiber used as mulch must be applied at a net dry weight of 1,500 lbs. per acre. Mix wood cellulose fiber with water to attain a mixture with a maximum of 50 lbs. of wood cellulose fiber per 100 gals. of water.
- 7.) Permanent seeding shall be accomplished between March 1st through May 15th, or August 15th through October 15th. Permanent seeding at other than specified times will be allowed only upon written approval. Permanent seeding shall conform to the following applications: Permanent seeding for sites having disturbed over five (5) acres shall use fertilizer rates recommended by a soil testing agency and the recommendations provided in the Permanent Seeding Summary Table. Permanent seeding for conditions other than listed above shall be performed at the rates and dates as provided in the Permanent Seeding Summary Table below. Fertilizer and lime amendments shall be incorporated into the top 3" - 5" of the soil be disking or other suitable means. Mulching shall be accomplished as discussed in Item #6 of these specifications.

Seed Mixture (For Hazard Zone 7a)  (From Table B-3)  Fertilizer Rate (10-20-20)								
No.	Species	Appl. Rate (lbs./ac.)	Seeding Dates	Seeding Depths	N	P205	K20	Lime Rate
7	CREEPING RED FESCUE KENTUCKY BLUEGRASS	60 lbs 15 lbs.	3/1-5/15 8/15-10/15	1/4" to 1/2"				
8	TALL FESCUE	100 lbs.	3/1-5/15 8/15-10/15	1/4" to 1/2"	45 lb/ac 1 lb/ 1000 sf	90 lb/ac 2 lb/ 1000 sf	90 lb/ac 2 lb/ 1000 sf	2 tons/ac 90 lb/ 1000 sf
9	TALL FESCUE KENTUCKY BLUEGRASS PERENNIAL RYEGRASS	60 lbs 40 lbs. 20 lbs.	3/1-5/15 8/15-10/15	1/4" to 1/2"				

- 8.) Any spoil or borrow will be placed at a site approved by the Soil Conservation District.
- 9.) All areas remaining or intended to remain disturbed for longer than three (7) days shall be stabilized in accordance with the USDA, Natural Resources Conservation Service Standards and Specifications for Soil Erosion and Sediment Control in developing areas for critical area stabilization.
- 10) It will be the responsibility of the Contractor or Subcontractor to notify the Engineer of any deviation from this plan. Any change made in this plan without written authorization from the Engineer will place responsibility of said change on the Contractor or the Subcontractor.

## INSPECTION CHECKLIST

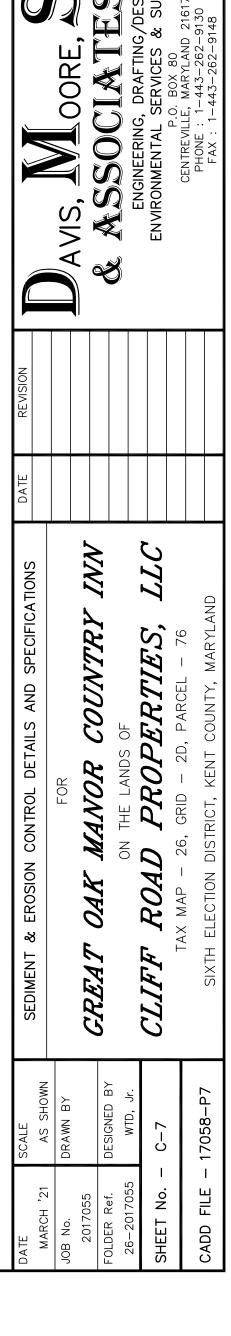
THE CONTRACTOR SHALL NOTIFY THE KENT COUNTY SEDIMENT AND EROSION CONTROL INSPECTOR AT (778-7437) AT THE FOLLOWING

- 1. THE REQUIRED PRECONSTRUCTION MEETING.
- 2. FOLLOWING INSTALLATION OF SEDIMENT CONTROL MEASURES.
- 3. PRIOR TO REMOVAL OR MODIFICATION OF ANY SEDIMENT CONTROL STRUCTURE.
- 4. PRIOR TO REMOVAL OF ALL SEDIMENT AND EROSION CONTROL DEVICES.
- 5. PRIOR TO FINAL ACCEPTANCE.

DAILY LOAD (TMDL).

THE FOLLOWING ITEMS HAVE BEEN ADDRESSED TO MEET THE REQUIREMENTS OF THE GENERAL PERMIT FOR STORMWATER ASSOCIATED WITH CONSTRUCTION ACTIVITY (NPDES NUMBER MDR10, STATE DISCHARGE PERMIT NUMBER 09GP).

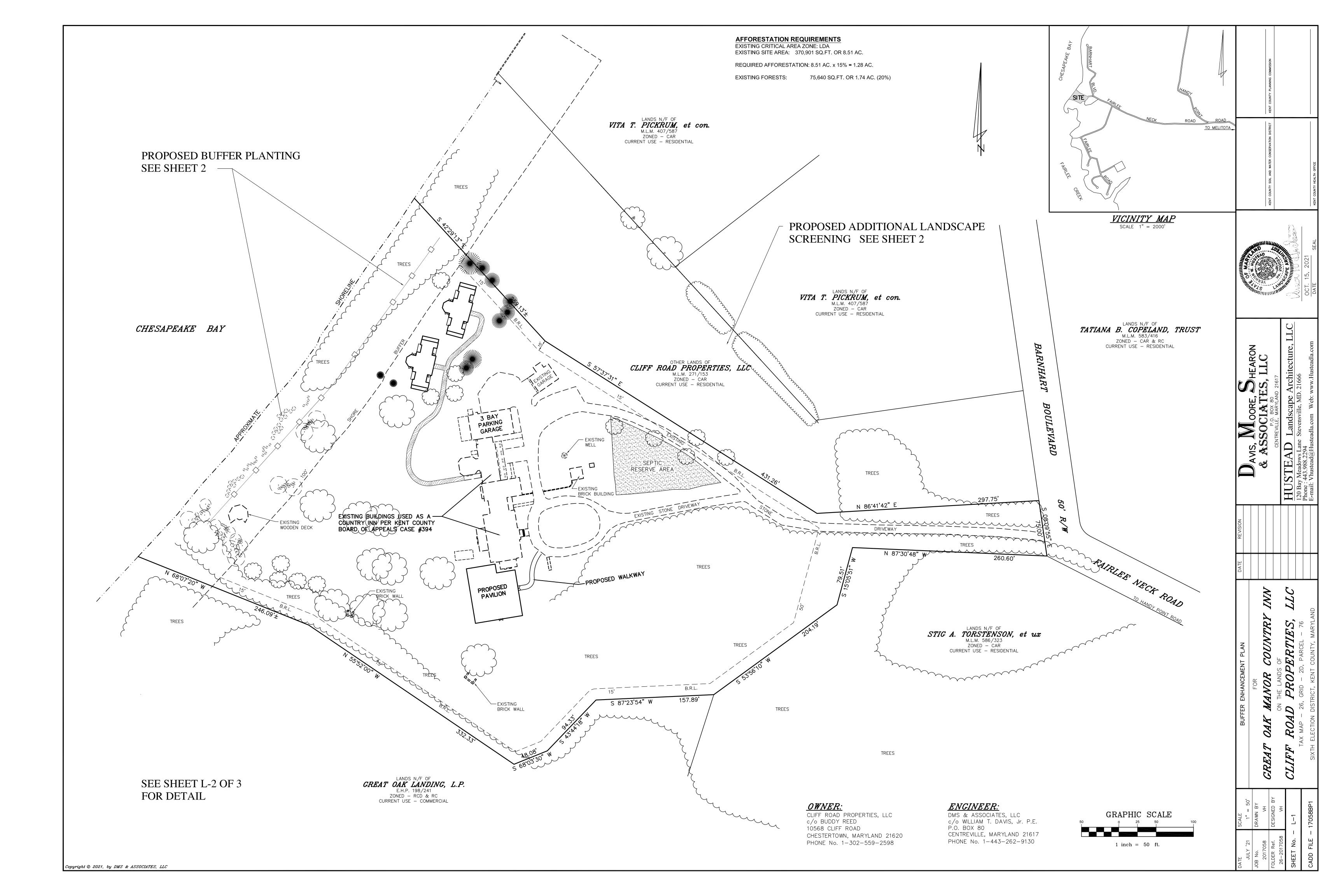
- 1. UTILIZATION OF ENVIRONMENTAL SITE DESIGN.
- MAINTENANCE OF LIMITS OF DISTURBANCE TO PROTECT NATURAL AREAS
- 3. CONTROL OF CONSTRUCTION EQUIPMENT AND VEHICLES 4. EVALUATION AND APPROPRIATE LIMITATION OF SITE CLEARING
- 5. EVALUATION AND DESIGNATION OF SITE AREA FOR PHASING AND SEQUENCING
- 6. IDENTIFICATION OF SOILS AT HIGH RISK FOR EROSION AND ADVANCED
- STABILIZATION TECHNIQUES TO BE USED 7. IDENTIFICATION OF STEEP SLOPES AND DESIGNATION OF LIMITATIONS ON
- CLEARING THEM 8. EVALUATION AND DESIGNATION OF STABILIZATION REQUIREMENTS AND TIME LIMITS AND PROTECTION MEASURES FOR DISCHARGES TO THE CHESAPEAKE BAY, IMPAIRED WATERS OR WATERS WITH AN ESTABLISHED TOTAL MAXIMUM

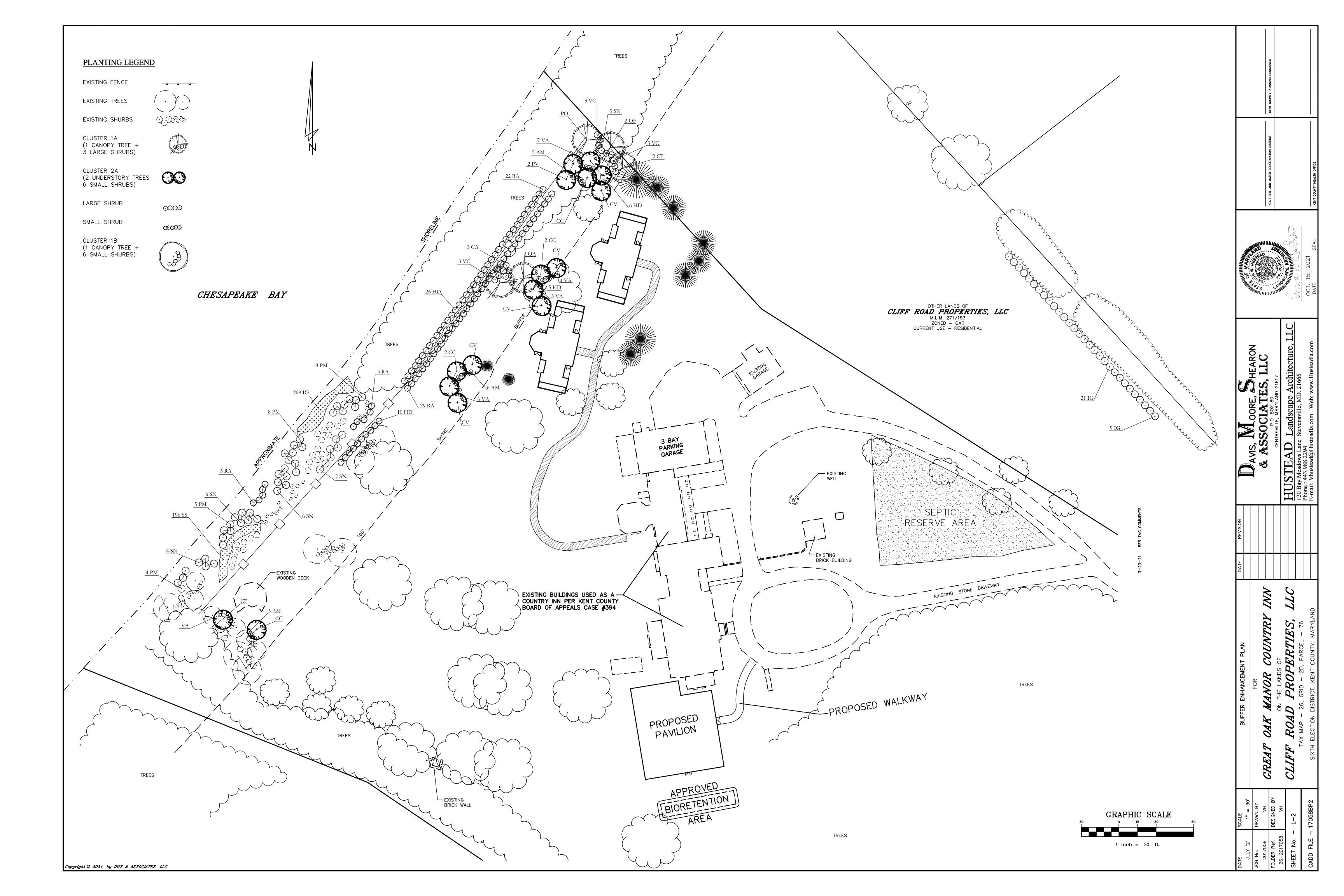


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## LANDSCAPING SPECIFICATIONS

OVERALL COMPLIANCE WITH THE TERMS OF THIS BUFFER MANAGEMENT PLAN INCLUDING ALL MAINTENANCE AND WARRANTY REQUIREMENTS PRESCRIBED HEREON IS THE RESPONSIBILITY OF THE OWNER/DEVELOPER. MAINTENANCE, WARRANTY AND PLANT MATERIAL SURVIVAL RESPONSIBILITIES OF THE LANDSCAPE CONTRACTOR SHALL BE AS SPECIFICALLY NEGOTIATED BETWEEN OWNER/

DEVELOPER AND CONTRACTOR. ALL WORK SHALL BE ACCOMPLISHED WITH QUALIFIED PERSONNEL, UTILIZING INDUSTRY STANDARD PRACTICES AND TECHNIQUES. THE CONTRACTOR IS RESPONSIBLE FOR THE COMPLETE INSTALLATION OF ALL LANDSCAPING SHOWN OR IMPLIED ON THIS PLAN. PRIOR TO INSTALLATION, THE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT OR PLAN PREPARER IF SITE PLANTING CONDITIONS WARRANT RE-DESIGN CONSIDERATION AND VERIFY THE RECEIPT OF MOST CURRENT APPROVED BUFFER MANAGEMENT PLAN. ANY CHANGES IN QUANTITY, SIZE OR KIND OF MATERIAL MUST RECEIVE BOTH THE LANDSCAPE ARCHITECT AND COUNTY APPROVAL PRIOR TO MAKING THE CHANGE.

PLANTS SHALL BE NURSERY GROWN IN ACCORDANCE WITH GOOD HORTICULTURAL PRACTICES, AND GROWN UNDER CLIMATIC CONDITIONS SIMILAR TO THOSE IN THE LOCALITY OF THE PROJECT. THEY SHALL HAVE BEEN ROOT PRUNED WITHIN THE LAST TWO YEARS.

THEY SHALL BE SOUND, HEALTHY AND VIGOROUS, WELL BRANCHED AND DENSELY FOLIATED WHEN IN LEAF. THEY SHALL BE FREE OF DISEASE, PEST, EGGS OR LARVAE, AND SHALL HAVE A HEALTHY, DEVELOPED ROOT SYSTEM. TREES AND SHRUBS SHALL NOT BE PRUNED BEFORE DELIVERY. ALL PLANTS WITH A DAMAGED OR CROOKED LEADER OR MULTIPLE LEADERS, ABRASIONS ON THE BARK, SUNSCALD, DISFIGURING KNOTS OR FRESH CUTS OVER 1 1/2" WILL BE REJECTED. THE OWNER RESERVES THE RIGHT TO HAVE THE PLANT MATERIAL INSPECTED AND TAGGED AT THE GROWING SITE AND TO REJECT ANY DEFICIENT MATERIAL AT THE JOB SITE. THE LANDSCAPE ARCHITECT OR PLAN PREPARER SHALL REJECT ANY AND ALL PLANT MATERIAL THAT DOES NOT MEET SPECIFICATIONS, IS DISEASED, OR IS OTHERWISE UNHEALTHY.

NO CHANGE IN QUANTITY, SIZE, KIND OR QUALITY OF PLANT SPECIFIED WILL BE PERMITTED WITHOUT THE APPROVAL OF THE LANDSCAPE ARCHITECT/DESIGNER. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE PLANT COUNT AND IN ANY INSTANCE WHERE THERE IS A DISCREPANCY BETWEEN THE PLAN VIEW AND THE LANDSCAPE SCHEDULE, THE PLAN VIEW SHALL PRESIDE.

(2) TOPSOIL SHALL BE FERTILE, FRIABLE AND TYPICAL OF THE LOCALITY, IT SHALL BE FREE OF STONES, LUMPS PLANTS ROOTS, STICKS AND SHALL NOT BE DELIVERED IN A FROZEN OR MUDDY CONDITION. COMPACTED SOILS THAT CANNOT BE RESTORED TO A REASONABLE PLANTING SOIL SHALL BE REMOVED AND REPLACED WITH FRIABLE NATIVE SOILS.

(3) PLANTING SOIL (BACKFILL MIX) SHALL BE FIVE PARTS NATIVE TOPSOIL AND ONE PART WET LOOSE PEATMOSS.

(4) STAKING MATERIALS: GUY WIRE SHALL BE PLIABLE 12 GAUGE GALVANIZED TWISTED TWO STRAND WIRE. HOSE SHALL BE A SUITABLE LENGTH OF TWO-PLY, REINFORCED BLACK RUBBER HOSE 3/4" INCH IN DIAMETER; STAKES SHALL CONFORM TO THE DETAIL ON THIS SHEET.

(5) MULCH: MULCH SHALL BE ORGANIC DOUBLE SHREDDED HARDWOOD BARK FREE OF HERBICIDES, LARGE CHUNKS AND WEEDS AND SEED AND AGED A MINIMUM OF 6 MONTHS.

- "STANDARDIZED PLANT NAMES," LATEST EDITION AMERICAN JOINT COMMITTEE ON HORTICULTURAL
- (2) "AMERICAN STANDARD FOR NURSERY STOCK," LATEST EDITION, AMERICAN ASSOCIATION OF NURSERYMEN.

PRE-DELIVERY DIGGING AND HANDLING OF PLANT MATERIALS: IMMEDIATELY BEFORE DIGGING, SPRAY ALL EVERGREEN OR DECIDUOUS PLANT MATERIAL IN FULL LEAF WITH ANTI-DESICCANT, APPLYING AN ADEQUATE FILM OVER TRUNKS, BRANCHES, TWIGS, AND/ OR FOLIAGE. (2) DIG BALL AND BURLAP (B&B) PLANTS WITH FIRM NATURAL BALLS OF EARTH, OF DIAMETER NOT LESS THAN THAT RECOMMENDED BY AMERICAN STANDARD FOR NURSERY STOCK, AND OF SUFFICIENT DEPTH TO INCLUDE THE FIBROUS AND FEEDING ROOTS. PLANTS MOVED WITH A BALL WILL NOT BE ACCEPTED IF THE BALL IS CRACKED OR BROKEN BEFORE OR DURING PLANTING OPERATIONS. (3) THE LANDSCAPE CONTRACTOR SHALL PLAN DELIVER AND PLANT INSTALLATION TO MINIMIZE STRESS ON PLANT

MATERIAL TO BE STAGED ON OR OFF THE JOB SITE SHALL BE LOCATED TO MAXIMIZE PROTECTION FROM HOT SUN AND DRYING WINDS AND SHALL BE WATERED TO MAINTAIN A STRESS FREE CONDITION. THE LACK OF AVAILABLE WATER SHALL NOT RELIEVE THE CONTRACTOR OF ADEQUATE MAINTENANCE.

PLANTING AREAS THAT HAVE BEEN IN CONSISTENT AGRICULTURAL PRODUCTION SHALL BE PLANTED WITH NO OTHER REQUIRED SITE PREPARATION

PLANTING AREAS THAT ARE VEGETATED AND STABLE WITH MINIMAL WEEDS SHALL BE MOWED TO 8" OR AS REQUIRED FOR PLANTING OR SEEDLING INSTALLATION.

THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UNDERGROUND UTILITIES PRIOR TO COMMENCING WORK. COORDINATE WITH OTHER CONTRACTORS ON SITE AND MISS UTILITY TO VERIFY UTILITY LOCATIONS. ANY REPAIRS TO EXISTING UNDERGROUND UTILITIES REQUIRED AS A RESULT OF ACTIONS OF THE CONTRACTOR AND/OR HIS ASSIGNS SHALL BE BORNE BY THE CONTRACTOR.

STAKE OUT ON THE GROUND LOCATIONS FOR PLANTS AND OUTLINES OF AREA TO BE PLANTED AND OBTAIN APPROVAL OF THE LANDSCAPE ARCHITECT/DESIGNER BEFORE EXCAVATION IS BEGUN. CONTRACTOR IS TO CAUTIOUSLY TEST PIT AREAS WHERE UNDERGROUND UTILITIES (ELECTRIC, GAS, CABLE/COMMUNICATIONS LINES, WATER LINES, SEWER, ROOF LEADERS, STORM DRAIN PIPE, ETC.) ARE SUSPECTED TO EXIST AND WHERE PROPOSED TO BE PLACED ACCORDING TO PLAN TO AVOID ANY DAMAGE OR DISRUPTIONS TO SERVICES. DO NOT PLACE PLANTS DIRECTLY OVER ANY EXISTING UNDERGROUND UTILITIES. OFFSET A REASONABLE AND PRACTICAL DISTANCE TO AVOID ANY IMMINENT OR FUTURE CONFLICT.

DO NOT MIX OR PLACE SOILS AND SOIL AMENDMENTS IN FROZEN, WET OR MUDDY CONDITION. SUSPEND SOIL SPREADING, GRADING AND TILLING OPERATIONS DURING PERIODS OF EXCESS SOIL MOISTURE UNTIL MOISTURE CONTENT REACHES ACCEPTABLE LEVELS TO ATTAIN THE REQUIRED RESULTS. UNIFORMLY MOISTEN EXCESSIVELY DRY SOIL THAT IS

TREE PITS SHALL BE EXCAVATED TO A DEPTH THAT ALLOWS FOR THE PLANTS TO BE SET AT THE SAME RELATIONSHIP TO FINISHED GRADE AS THEY BORE TO THE GROUND FROM WHICH THEY WERE DUG. ADD 1 OZ. OF MYCOAPPLY ENDO GRANULAR PER 2 CU.FT. OF BACKSOIL TO THE SIDES OF THE ROOTBALL. PLANTING PITS SHALL BE DUG A MINIMUM OF 6 INCHES BELOW THE ROOT BALL AND 2 FEET PAST THE EDGE OF THE ROOT BALL TO ALLOW ROOM FOR AN EXPANDED AREA OF PLANTING SOIL. USE PLANTING SOIL TO BACKFILL APPROXIMATELY 2/3 FULL, WATER THOROUGHLY BEFORE INSTALLING REMAINDER OF THE PLANTING SOIL TO TOP OF PIT, ELIMINATING ALL AIR POCKETS. SET PLANTS PLUMB AND BRACE RIGIDLY IN POSITION UNTIL THE PLANTING SOIL HAS BEEN STAMPED SOLIDLY AROUND THE BALL AND ROOTS. CUT ROPES OR STRINGS FROM TOP OF BALL AFTER PLANT HAS BEEN SET. LEAVE BURLAP OR CLOTH WRAPPING INTACT AROUND BALLS. TURN UNDER AND BURY PORTIONS OF BURLAP AT TOP OF BALL. FOR CONTAINER GROWN PERENNIALS, CAREFULLY REMOVE FROM CONTAINERS WITHOUT BREAKING APART PLANTS OR ROOT SYSTEMS AND GENTLY LOOSEN SOIL. PLACE IN PIT EXCAVATED TO THE DEPTH THAT ALLOWS FOR THE PLANT TO BE SET AT ITS FORMER GRADE. BACKFILL TO 2/3 FULL AND WATER THOROUGHLY. BACKFILL WITH REMAINING PLANTING SOIL TO TOP OF PIT, ELIMINATING ALL AIR POCKETS. DISPOSE OF REMOVED CONTAINERS OFFSITE AT AN APPROVED LANDFILL.

PROTECT PLANTS AT ALL TIMES FROM SUN OR DRYING WINDS. PLANTS THAT CANNOT BE PLANTED IMMEDIATELY ON DELIVERY SHALL BE KEPT IN THE SHADE, WELL PROTECTED WITH SOIL, WET MOSS OR OTHER ACCEPTABLE MATERIAL AND SHALL BE KEPT WELL WATERED. PLANTS SHALL NOT REMAIN UNPLANTED FOR LONGER THAN THREE DAYS AFTER DELIVERY. PLANTS SHALL NOT BE BOUND WITH WIRE OR ROPE AT ANY TIME SO AS TO DAMAGE THE BARK OR BREAK BRANCHES. PLANTS SHALL BE LIFTED AND HANDLED FROM THE BOTTOM OF THE BALL ONLY.

 ${\tt MULCH\ ALL\ PITS\ AND\ BEDS\ WITH\ A\ TWO-INCH\ LAYER\ OF\ BARKMULCH\ IMMEDIATELY\ AFTER\ PLANTING.\ TO\ WORKED\ BEDS\ }$ OF HERBACEOUS PERENNIALS ADD MULCH TO A DEPTH OF 2". PROVIDE AN 3-FOOT DIAMETER MULCH CIRCLE AROUND THE BASE OF ALL LARGE TREES. IN NO INSTANCE IS MULCH TO BE PILED AGAINST THE BASE OF TREE AND SHRUB TRUNKS. MULCH AREAS AROUND BASE OF EACH PLANT AND IN PLANTER AREAS. WATER ALL PLANTS IMMEDIATELY AFTER

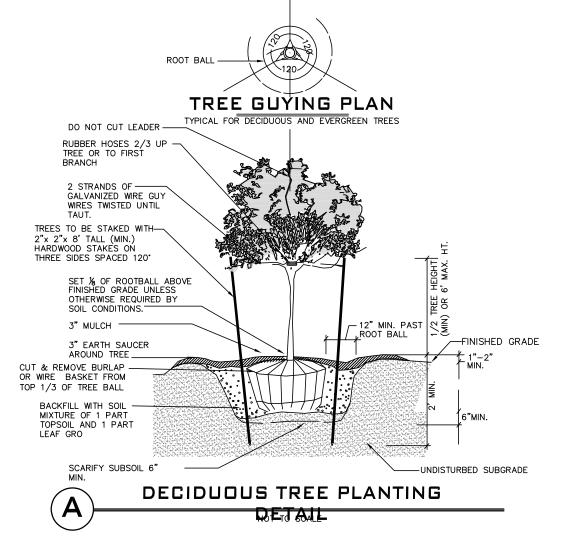
G. <u>STAKING AND PRUNING:</u>
STAKE LARGE TREES IMMEDIATELY AFTER PLANTING. PLANTS SHALL STAND PLUMB AFTER STAKING. STAKES AND GUY WIRES SHALL BE OF THE SIZE AND MATERIAL SPECIFIED ABOVE AND POSITIONED AS SHOWN ON THE ACCOMPANYING PLANTING DETAIL. THEY SHALL BE REMOVED AT THE END OF THE GUARANTEE PERIOD AND DISPOSED OF OFF SITE BY

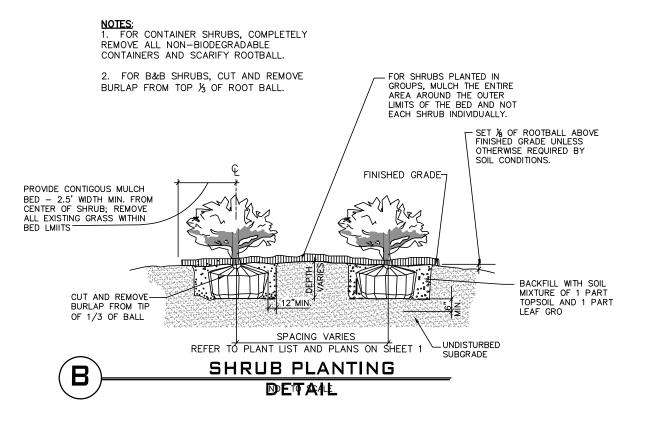
REMOVE ALL DEAD WOOD, SUCKERS, OR BROKEN BRANCHES AND PRESERVE THE NATURAL CHARACTER OF THE PLANT.

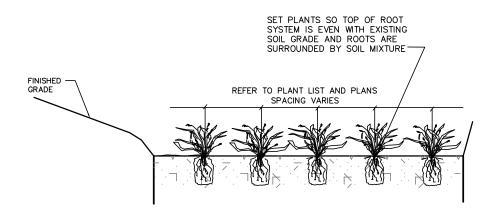
THE OWNER/DEVELOPER THROUGH HIS/HER CONTRACT WITH THE LANDSCAPE CONTRACTOR IS RESPONSIBLE AND SHALL INSURE ADEQUATE MAINTENANCE IS PROVIDED THROUGH THE INSTALLATION AND WARRANTY PERIOD AND FINAL

H. GUARANTEE:
TREES AND HERBACEOUS PERENNIALS SHALL BE GUARANTEED FOR TWO (2) FULL YEARS FROM THE DATE THAT THE LANDSCAPE INSTALLATION IS ACCEPTED AS COMPLETE AND HAVE A 100% SURVIVABILITY RATING AT THE END OF THE TWO YEARS. PLANT MATERIAL NOT FOUND TO BE IN A HEALTHY, VIGOROUS CONDITION AT THE BEGINNING OF THE SECOND GROWING SEASON IS TO BE REPLACED. BARE-ROOT SEEDLINGS SHALL BE GUARANTEED FOR A PERIOD OF FIVE (5) YEARS AND HAVE A 50% SURVIVABILITY RATE AT THE END OF 5 YEARS. SEEDLINGS NOT FOUND TO BE IN A HEALTHY VIGOROUS CONDITION AT THE END OF THE FIVE-YEAR PERIOD ARE TO BE REPLACED.

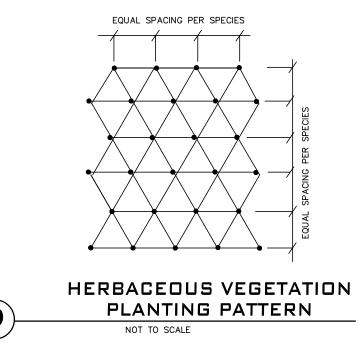
## PLANTING DETAILS











## OWNER:

CLIFF ROAD PROPERTIES, LLC c/o BUDDY REED 10568 CLIFF ROAD CHESTERTOWN, MARYLAND 21620 PHONE No. 1-302-559-2598

## REQUIREMENTS AND SCHEDULE

#### MITIGATION REQUIREMENTS

PROPOSED LOT COVERAGE AREA FOR PHASE 2: 9,334 SQ.FT. REQUIRED MITIGATION :9,334 SQ.FT. @ 1:1 =

#### PROPOSED MITIGATION CHART FOR 100' BUFFER AREA

VEGETATION TYPE	MAXIMUM CREDIT ALLOWED (SQ.FT.)	MAXIMUM % OF CREDIT	# OF PLANTS	CREDIT PROVIDED
2" CANOPY TREE	200	N/A	0	0
1" CANOPY TREE	100	N/A	0	0
UNDERSTORY TREE	75	N/A	0	0
LARGE SHRUB	50	30 %	48	2,400 (26%)
SMALL SHRUB	25	20 %	97	1,775 (19%)
GRASSES/PERENNIAL	2	10 %	465	930 (10%)
PLANTING CLUSTER 1 W/ LARGE SHRUBS	300	N/A	5 Tree + 15 Shrubs	1,500
PLANTING CLUSTER 1 W/ SMALL SHRUBS	300	N/A	0	0
PLANTING CLUSTER 2 W/ LARGE SHRUBS	350	N/A	16 Trees + 48 Shrubs	2,800
PLANTING CLUSTER 2 W/ SMALL SHRUBS	350	N/A	0	0

9,405 SQ.FT. TOTAL PROVIDED:

## **BUFFER ENHANCEMENT PLAN PLANT SCHEDULE**

KEY	QUA	BOTANICAL NAME	COMMON NAME	SIZE
(	Canopy Trees			
РО	1	Platanus occidentalis	Sycamore	1 - 1 ½" Cal. B&B
QA	2	Quercus alba	White Oak	1 - 1 ½" Cal. B&B
QF	2	Quercus falcate	Southern Red Oak	1 - 1 1/2" Cal. B&B
ι	Understory Trees			
CC	6	Cercis canadensis'Forest Pansy'	Forest Pansy Redbud	1 - 1 ½" Cal. B&B
CV	5	Chionanthus virginicus	White Fringetree	1 - 1 ½" Cal. B&B
CF	3	Cornus florida	White Flowering Dogwood	1 - 1 ½" Cal. B&B
PV	2	Prunus virginana	Choke Cherry	1 - 1 ½" Cal. B&B
I	Large Shrubs	<u> </u>	•	
CA	3	Callicarpa americana	American Beautyberry	1 Gal. 4' Ht.
PM	25	Prunus maritima	Beach Plum	1 Gal. 4' Ht.
SN	26	Sambucus nigra'Gerda'	Black Beauty Elderberry	1 Gal. 4' Ht.
VC	9	Viburnum cassinoides	Witherrod	1 Gal. 4' Ht.
	Small Shrubs			
AM	16	Aronia melanocarpa	Black Chokeberry	1 Gal. 18" Ht.
HD	42	Hypericum densiflorum	St Johns Wort	1 Gal. 18" Ht.
RA	61	Rhus aromatica'Gro-Low'	Grow Low Sumac	1 Gal. 18" Ht.
VA	14	Vaccinum angustifolium	Lowbush Blueberry	1 Gal. 18" Ht.
(	Grasses and Pere	nnials	•	
SS	196	Schizachyrium scoparium	Little Blue Stem	Landscape Plug
IG	269	Sorghastrum nutans	Indian Grass	Landscape Plug

#### PLANT SCHEDULE FOR ADDITIONAL LANDSCAPE BUFFER SCREENING PER KENT COUNTY PLANNING COMMISSION CONDITIONS DATED 8-5-21

KEY	QUA	BOTANICAL NAME	COMMON NAME	SIZE
S	hrubs			
ĪG	30	Ilex glabra	Inkberry	1 Gal. 4' Ht.

**ENGINEER:** 

DMS & ASSOCIATES, LLC c/o WILLIAM T. DAVIS, Jr. P.E. P.O. BOX 80 CENTREVILLE, MARYLAND 21617 PHONE No. 1-443-262-9130



Kent County Planning Commission Chestertown, MD 21620

Attn: Ms. Carla Gerber

RE: Site Plan Application Great Oak Manor

Dear Planning Commissioners:

We ask that you place controls on the final approval of the Applicant's site plan. Our concerns continue to be noise and traffic. Reasonable guest capacity limits would help prevent some of the ongoing issues. Currently, the Manor has guest rooms ranging from 2 guest per room to 6 guests per room. Please see the attached listing from their website. We request the following conditions for final approval:

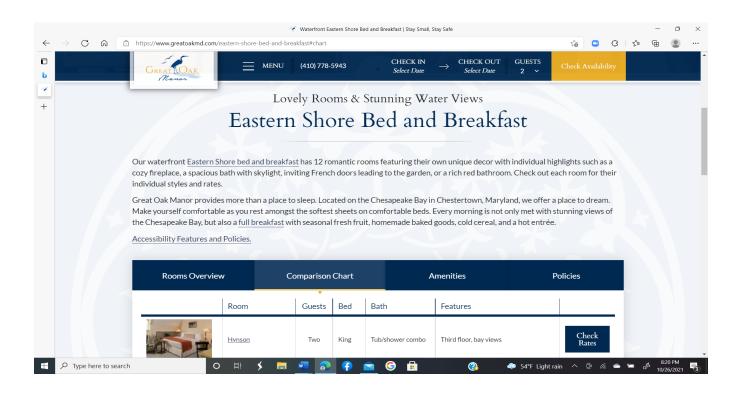
- 1. Limit on number of guests in a) any planned remodeled room in the Manor House and b) each guest cottage. Common areas of the proposed cottages may not be used as guest rooms—no pullout couches, no roll away beds, etc.
- 2. Quiet hours at cottages must start at 10pm—no amplified music, no outside parties. Decibel readers required for the tent platform approval must also apply to cottages as well. The Applicant/Innkeeper/on-site manager must be required to inform guests of the quiet hour requirement and enforce it.
- 3. Limit size of party buses to a capacity of 20 passengers. Buses should be prohibited from using the Northern end of Cliff Road (residential section) for turn arounds, parking, loading, etc.
- 4. Enforce the "no parking" on Cliff Road and the shoulders of the road.

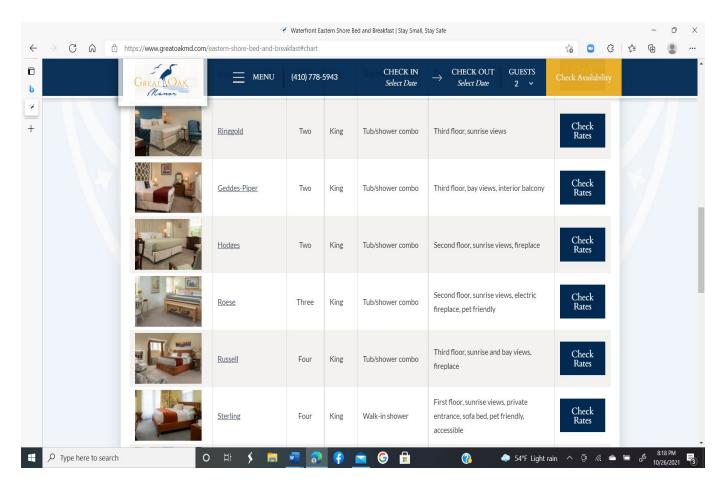
Thank you for considering our request,

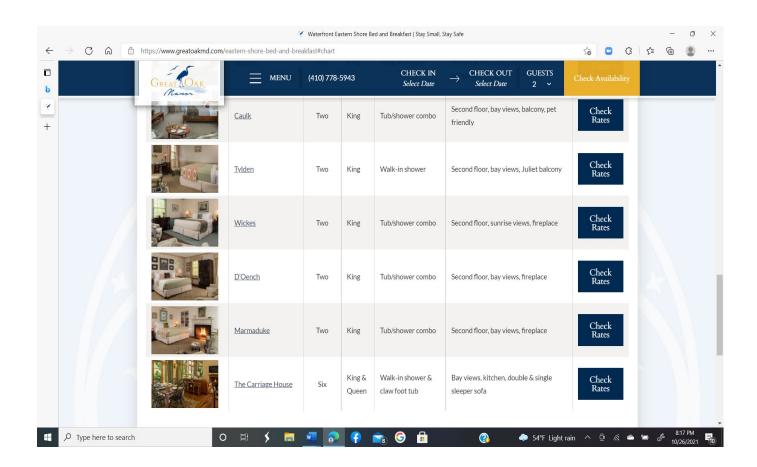
#### Bruce and Kathryn Galton

Bruce and Kathryn Galton

10626 Cliff Road







#### **Carla Gerber**

From: Gaye Cox <gaye@gbcox.com>
Sent: Friday, October 29, 2021 2:01 PM

To: Carla Gerber

**Subject:** Great Oak Manor Zoning Hearing

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- KCIT Helpdesk

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#### Dear Ms Gerber,

As residents of Cliff Rd, we are concerned about the proposed zoning changes for Great Oak Manor. May it be know to the commissioners and any other interested party, that we are in total agreement with our neighbors, Bruce and Kathryn Galton who expressed serious concerns and requested certain conditions in a letter to the Commission on Oct. 26, 2021.

Thank you for your consideration, Gaye and Dennis Cox 10722 Cliff Rd.

#### Carla Gerber

From: Stephen J. Neuberger <SJN@NeubergerLaw.com>

**Sent:** Friday, October 29, 2021 2:34 PM

**To:** Carla Gerber

**Subject:** Site Plan Application for Great Oak Manor

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- KCIT Helpdesk

Ms. Gerber,

On behalf of my family at 10736 Cliff Road, I join in the requests contained and concerns expressed in the Galton family's letter of several days ago.

Great Oak Manor's many longstanding problems -- including (1) disturbing the peace; (2) unreasonable noise at unreasonable hours; and (3) bus and other vehicle blockage/obstruction of the northern residential section of Cliff Road -- are well documented in prior submissions by myself and my neighbors to Kent County over the last several years.

Please, the last thing I want is for one of my elderly parents to suffer a medical emergency only to have emergency responders unable to reach my home because of another giant bus blocking the road.

Thank you for your time.

Best regards, -Steve

\*\*\*\*\*\*\*\*\*\*\*

Stephen J. Neuberger, Esq. The Neuberger Firm Attorneys and Counsellors at Law 17 Harlech Drive, P.O. Box 4481 Wilmington, DE 19807

Phone: 302-655-0582

E-Mail: SJN@NeubergerLaw.com

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#### **Carla Gerber**

From: Bronwyn Fry <br/>
Sent: Bronwyn Fry <br/>
Friday, October 29, 2021 3:01 PM

**To:** Carla Gerber

**Subject:** Re: Planning Commission re: Great Oak Manor Cottage site review

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- KCIT Helpdesk

#### **Dear Planning Commissioners:**

Once again, please acknowledge my endorsement of Bruce and Katy Galton's letter of October 28, 2021 regarding neighbors' requested conditions for the two cottages at Great Oak Manor on Cliff Road.

My concerns for conditions besides noise and limiting room occupancy to FOUR adults over twelve per cottage per Mr. Reed's sworn testimony at the last hearing in September are:

\*That no additional free-standing cottages will be built in perpetuity anywhere else on the property or adjoining properties through lot line adjustments of Cliff Road Properties, LLC.

\*That no additions will be made to these two cottages in perpetuity.

Thank you, Bronwyn and Ken Fry Cliff Road Great Oak