

2664 Riva Road, P.O. Box 6675
Annapolis, MD 21401
410-222-7450

Jenny B. Jarkowski
Planning and Zoning Officer

February 27, 2023

Arnold Preservation Council
% Kathleen McCoun
P.O. Box 852
Arnold, MD 2101

Re: Response to APC letter, dated February 3, 2023

Dear Kathleen McCoun,

Thank you for the personal introduction to the Arnold Preservation Council (APC). The Office of Planning and Zoning (OPZ) is pleased with the opportunity to coordinate with you on matters important to the group, including environmental preservation and traffic. Staff provided the following feedback in response to the points mentioned in your letter. Please note stormwater management is handled by the Inspections and Permits (I&P) department; you may contact I&P staff, as identified on respective comment letters, with your concerns.

Chick-fil-A on Ritchie Highway (C2022-013-00-PP)

Enforcement of Forest Conservation Policy:

Anne Arundel County development review staff performed a comprehensive evaluation of the current development proposal for compliance with Article 17, Title 6, Subtitle 3, Forest Conservation, and provided review comments pertaining to issues of potential noncompliance. These detailed comments are included in the County Preliminary Plan consolidated review letters dated April 26, 2022 and December 5, 2022. Staff provided the December 5, 2022 comment letter to APC via email to arnoldpreservationcouncil@gmail.com on December 14, 2022. If you would like to review the April 2022 letter or any other documents related to this project, please submit a request via the County's Public Information Act web link here: aacounty.org/pia.

Please note that development may not proceed without first obtaining all Development and Permit application approvals. No approvals have been issued for this project thus far, and it remains under active review. Approvals may only be granted if/when the proposed development

is deemed to be in conformance with the current County and State regulations by all development review agencies and the Planning and Zoning Officer.

Disturbance of Steep Slopes:

Per Article 17-6-403, development may not occur within steep slopes or within 25 feet of the top of the steep slopes where the onsite and offsite contiguous area of the steep slopes is greater than 20,000 square feet unless development will facilitate stabilization of the slope or the disturbance is necessary to allow connection to a public utility. According to Article 17-1-101(90 & 92), steep slopes are defined as natural and not man-made, outside the Critical Area. The applicant has been asked to verify whether the steep slopes delineated are man-made, as a result of prior road and land development. It must also be noted that additional comments pertaining to reducing the limits of disturbance and impervious coverage to the maximum extent practicable have also been issued by County staff.

Traffic on Ritchie Highway:

Per §17-6-605, services that provide drive-through service or tend to draw lines of traffic shall provide adequate on-site stacking capacity. The proposed layout of the Chick-Fil-A provides space for 36 vehicles within the drive through lanes, as well as additional space onsite for any overflow. This exceeds the onsite capacity of the Severna Park Chick-Fil-A.

For clarification, your recent letter mentioned an objection letter sent to OPZ with the date of November 11, 2022. Please confirm the attached letter with the date of November 30, 2022, is the one you are referring to, as we do not have a letter from APC with the date of November 11, 2022.

Freshfield Lane on Shore Acres Road (P2021-0068-00-NS)

A copy of OPZ's response to APC's September 26, 2022 letter is attached for reference (dated September 29, 2022). This letter addresses active recreation areas and steep slopes. Also attached is the most recent comment letter, dated December 15, 2022. Please note a resubmittal has been made, with comments are due out on March 13, 2023. To receive a copy of the forthcoming comments, please submit your request via the County's Public Information Act form (linked above) after the due date.

Access and Preservation of Historic Property:

The subject property contains the historic "Hersh-Arnold House" (AA-135), which is listed in the Maryland Inventory of Historic Properties, and the John Arnold Family Cemetery. The Cultural Resources Section (CRS) has been engaged with the applicant in addressing the requirements under Article 17-6-501, 502, and 503, of the Code throughout the SDP review process.

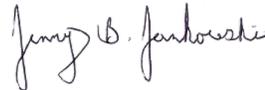
The historic house and cemetery will be sited on a separate lot of a sufficient size as per Article 17-3-402 and will include protection of the immediate environmental and historic setting through a perpetual preservation easement. Given the proximity between the house and the historic cemetery, the cemetery is part of the historic setting and will be encompassed within the preservation easement boundary. The lot size was approved by CRS at Sketch Plan review (dated August 18, 2022). Recent discussions have explored even further enlargement of the historic

preservation easement area to possibly include Open Space Area #3, which our office would welcome and encourage.

A consolidated historic preservation building and cemetery easement will be executed prior to Final Plan approval as per Article 17-6-501. The easement will preserve the historic house, the cemetery, and its historic setting. Access to the historic lot will be from the Freshfields Lane, and there will be a public right-of-way to the cemetery as required under Article 17-6-503.

As per Article 17-6-502 of the County Code, a Phase I archaeology survey was completed and the final survey report was received by CRS on December 7, 2021. No significant archaeological resources were discovered, and no further archaeology work is required.

Sincerely,

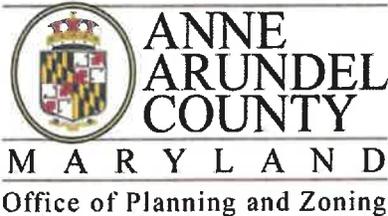


Jenny B. Jarkowski
Planning and Zoning Officer

Enclosures: APC Objection Letter to Chick-fil-A, dated November 30, 2022
OPZ response to APC's Freshfield letter from September 26, 2022,
dated September 29, 2022
Freshfield comment letter, dated December 15, 2022

Cc: Lori Allen, OPZ/Dev-Residential
Courtney Wilson, OPZ/Dev-Regional
Sarah Fowler, OPZ/Dev-Traffic

Jane Cox, OPZ/Cultural Resources
Christine Duvall, OPZ/Administration
Mark Wedemeyer, I&P



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410-222-7450

Steve Kai-Ziegler, AICP
Planning and Zoning Officer

December 15, 2022

Messick & Associates
% Timothy Brenza, RLA
7 Old Solomons Island Road, Suite 202
Annapolis, Maryland 21401

Re: Freshfield (Age Restricted)
Subdivision No. 2021-021; Project 2021-0068-00-NS
Tax Map 40 Block 7 Parcel 64, 65 & 257

Dear Mr. Brenza:

The Sketch Plan for the above referenced project has been reviewed by the agencies listed below and copies of their comments are attached.

- | | |
|--|---|
| A. OPZ/Planning, Environmental & Landscape | Approval withheld, December 07, 2022 |
| B. I&P/Engineering & Utilities | Approval withheld, December 14, 2022 |
| C. OPZ/Transportation | Approval withheld, November 22, 2022 |
| D. Recreation and Parks | Approval with comments, December 06, 2022 |

I. Agency Comments to Be Addressed

Before approval of the Sketch Plan, the following agency comments (copies attached) must be addressed with a resubmittal:

- | | |
|--|-----------------------------|
| A. OPZ/Planning, Environmental & Landscape | Comments, December 07, 2022 |
| B. I&P/Engineering & Utilities | Comments, December 14, 2022 |
| C. OPZ/Transportation | Comments, November 22, 2022 |

II. Adequacy of Public Facilities

Adequacy of Public Facilities for items B, D and E below must be resolved with a Sketch Plan Resubmittal. Items A, C are acceptable, and will be approved with the Sketch Plan subject to any noted conditions.

- A. Fire Suppression: Adequacy of Fire Suppression has been demonstrated. The final decision on adequacy of facilities for fire suppression is deferred to the Fire Marshal's office. Please see the Fire Marshal's comments dated July 19, 2022.
- B. Roads: Adequacy for Roads has not been demonstrated. The Traffic Impact Study (TIS) dated May 2022 has been reviewed. The study is considering 32 new detached senior single family dwellings, one existing single family dwelling to remain, and one single family dwelling to be removed. Please see OPZ/Transportation comments dated November 22, 2022.
- C. Schools: Adequacy for Schools has been demonstrated. This project is an Age Restricted project with no impact to the schools.
- D. Utilities: Adequacy of Water and Sewerage has not yet been demonstrated. A SWAMP analysis of public water and sewer services was performed and the Department of Public Works has indicated that the capacity is currently available for 37 EDU's (however per new updated plan requires 34 EDU's) of water and sewer. An allocation of 34 EDUs must be requested and approved. Please see I&P/Engineering comments dated December 14, 2022.
- E. Storm Drains: Adequacy of facilities for storm drainage has not been addressed. It has not been adequately demonstrated that the onsite drainage system and stormwater management system installed by the developer includes environmental site design to the maximum extent practicable, complies with the stormwater requirements of the Anne Arundel County Code, and is capable of conveying through and from the property, the design flow of storm water runoff originating on the site to an adequate outfall; and offsite downstream drainage systems are capable of conveying the design flow of storm water runoff to an adequate outfall between the site outfall(s) to the Point(s) of Investigation (POI) located along twin 27" culvert at Double Day Drive to the Magothy River located at east of Birch Crest Court and southeast site outfall #2 to the Point of Investigation (POI) located along 24" culvert at College Parkway at the upstream of culvert located at the Candle Ridge Drive. Please see I&P/Engineering comments dated December 14, 2022.

III. Issues

None at this time.

IV. Decision

- A. This Office must withhold approval of the Sketch Plan until the issues set forth in Sections I, II, and III, when applicable, have been resolved.

B. In accordance with Article 17-3-203 the resubmittal must be made within sixty (60) days of the date of this letter and must include separate packages labeled with the name of the required review agency. Each package is to include a point-by-point response letter addressing the items in Sections I, II, and III, when applicable, above and any other supplemental information necessary for review. Resubmittal in accordance with the attached Resubmittal Cover Sheet must be sent directly to Judy Motta, Permit Center, by **February 13, 2023**.

If you have any questions regarding this project, please contact me by email at pzruss00@aacounty.org or call 410-222-7458.

Sincerely,



Teresa Russin, Senior Planner
Office of Planning and Zoning

Cc: Lori Allen, OPZ
Judy Motta, PC
Ram Shrestha, I&P
Sarah Fowler, OPZ
Pat Slayton, Recreation and Parks
fordham528@aol.com, Owner
bschriefer@verizon.net, Owner
tim@messickandassociates.com, Engineer
mayappserv@aol.com, Choice Land Investments, LLC, Developer
Teresa Russin, OPZ
File

ANNE ARUNDEL COUNTY

Annapolis, Maryland

RESUBMITTAL COVER SHEET

TO: Office of Planning and Zoning/Development Division

FROM: _____

RE: Freshfield (Age Restricted)
Subdivision No. 2021-021; Project No. 2021-0068-00-NS

PLEASE FIND ATTACHED RESPONSE LETTER/REVISED PLAN (AND ANY AGENCY-MARKED PRINTS) PACKAGES FOR:

- x OPZ/Subdivision/Environmental
- x I&P/Engineering/Utilities
- x OPZ/Transportation

The engineer/developer certifies that all of the above-mentioned agencies are being responded to with their own completed package. Each package shall contain the necessary response letter/plans/plats/studies, computations (if applicable) and agency marked-up plans (if provided) addressing all of the items required to be addressed in the prior review comments from each agency. All correspondence, plans, plats, studies, comps, etc. must list the correct project and subdivision numbers.

Submit the completed resubmittal package to Judy Motta on the 1st floor of the Permit Center prior to acceptance by OPZ/Development Division.

This marked form highlighting the specific agency must accompany your resubmittal otherwise it can not be accepted by OPZ/Development Division.

Developer/Engineer (SEAL)

Attachments



M A R Y L A N D

Office of Planning and Zoning

*Steve Kaii-Ziegler, AICP
Planning and Zoning Officer*

MEMORANDUM

TO: Lori Allen, Planning Administrator, Development Division

FROM: Teresa Russin, Senior Planner, Development Division

SUBJECT: Freshfield (Age Restricted)
Subdivision No. 2021-021; Project 2021-0068-00-NS

DATE: December 07, 2022

The application proposes an Age-Restricted single family dwelling development located off of Freshfield Lane in Arnold, MD. The applicant is proposing a cluster subdivision of 33 new lots, and intends to preserve the historic single family dwelling and historic cemetery located in the southeast corner of the site. The site encompasses 12.31 acres and is zoned R5. The development will connect to public water and sewer. Public roads are proposed within the development. Conservation easements, recreation areas and open space are proposed on site as well. A review of the above referenced Sketch Plan has generated the following comments:

A. Planning Requirements:

1. The Department of Recreation and Parks (DRP) has indicated in the memo dated December 06, 2022 (attached) that the connection to the future Broadneck Peninsula Trail is acceptable under certain conditions. Final Plan approval will be dependent on the applicant complying with the conditions stated in the memo and receiving approval from DRP. Furthermore, the applicant must demonstrate that the proposed trail grading has been considered in determining the location and grading of the trail connection.
2. Again, the driveways to serve the single family dwellings should be placed as close as possible to each other to maximize the number of cars which can be parked on the street. The explanation provided by the applicant as to why this change was not implemented is not sufficient. Please review the Orange Notice DPW-20-03 and coordinate with OPZ/Transportation if additional assistance is needed regarding on-street parking requirements.
3. Again, correct the parking tabulations on sheet 1 of the Sketch Plan. After further review it has been determined that as per Article 18-3-104, 1.5 spaces are required for each single family detached dwelling rather than 3 as shown given the AIDU designation.
4. Provide a summary of the decisions for Modifications 16718AA (Specimen Tree) and 16719AA (Recreation Area) on the Sketch Plan.
5. The revised Modification 16717AA (Road Standards) has been received and is under review. A response will be provided under separate cover.

6. Again, the site data table on sheet 1 of the Sketch Plan indicates 37 single family detached lots are proposed. While the letter of explanation states this was complete, the table does not reflect that. The Parking Requirements table also references Lot 37. Update for accuracy.
7. Update the title block to clearly indicate the project as age-restricted.
8. Provide an updated EDU worksheet signed by a qualified professional.
9. As stated in the conditions section of the Modification #16719AA, OPZ/Cultural Resources has voiced concern over potential activities and equipment that may be allowed within Active Recreation Area #3 and the need to avoid a negative impact to the viewshed of the adjacent historic building. The applicant shall provide measures to protect the viewshed of the historic building to remain compliant with Article 17-6-501(b)(2) prior to Final Plan approval.

If the methods elected by the applicant to protect the viewshed effectively result in an active recreation area that cannot host any active recreation uses, then the applicant must revise the subject area, site plan and all subsequent calculations to reflect the area as passive recreation or open space. Compliance with Article 17-6-501(b)(2) will not relieve the applicant from compliance with the requirements of Article 17-6-111, but may be considered as support for other proposals by the applicant. Furthermore, the applicant shall demonstrate how Active Recreation Area #3 will comply with Articles 17-6-501(b)(2) and 17-6-111 prior to approval of the Final Plan.

10. With the Final Plan application, show the retaining wall detail. The design material that will be used shall mimic the historical nature of the property. This comment will remain until complete.
11. Alter the shape of bioretention facility A with the Final Plan application to be more natural in shape to blend in with the historic landscape. This comment will remain until complete.

B. Environmental Requirements:

1. Again, the ratings of the Specimen Trees are inconsistent between the Forest Stand Delineation (FSD) Plan, the FSD Report and the Forest Conservation Plan (FCP). Revise for consistency.
2. As previously stated, ensure that the FCP and site plan reflect the changes to the FSD as applicable.
3. The percentage of disturbance to the CRZ for specimen tree #21 does not appear to be accurate based on the site plan. Revise for accuracy.
4. Per the conditions of Modification #16719AA, the applicant is not required to grade to a slope of 5% or less within the Critical Root Zones (CRZs) of the Specimen Trees #20 and #21. Should the applicant elect to proceed with grading within the CRZs, the amount of disturbance in total for each tree may not exceed 30%. Indicate the amount of CRZ disturbance for both Specimen Trees #20 and #21.
5. The applicant is reminded of Green Notice OPZ-20-01-Rev regarding the expanded protections for priority forests. Clearing of priority forest requires an approved modification. Modification approval is not guaranteed. The modification application must address the criteria in Article 17-2-108. Please refer to Green Notice OPZ-20-01-Rev.

6. This Office is concerned about the proposed retaining walls and their impact on existing forest. The applicant must demonstrate on the Forest Conservation Plan (FCP) with the Final Plan application how the construction of the proposed retaining walls (20' in some places, for example) will be constructed without damaging existing forest. This comment will remain until complete.
7. The FCP shall also be carefully designed to enhance the viewshed from the historic house, in all directions. This comment will remain until complete.

C. Landscaping Requirements:

1. The bioswale detail with landscape buffer shown on Sheet 8 shall include plantings between the public ROW and the bioswale in order to demonstrate compliance with Landscape Manual Section V.J.1. for lots #13 and #21. This comment will remain until the Landscape Plan is approved.
2. In further consideration of the buffer planting requirements for lots #13 and #21, the applicant is reminded that if bioretention or rain gardens are used in buffers between parking lots and adjacent roads or property, plantings in the bottom of the stormwater management device may not be considered for screening unless they consist of tree species; as in most cases, these plantings will not grow to an appropriate height. Shrub plantings at the top of the slope are needed in addition to the stormwater management plantings to meet the intent of the perimeter buffer requirement. This comment will remain until the Landscape Plan is approved.
3. The applicant is reminded that the Landscape Manual Section V.Q.1. requires the inclusion of hardscape within green areas that are designated as recreation area open space. The proposed 15' buffer to the adjacent residential lots #6 and #17 may require reconfiguration of the area or specific plantings that will not encroach or endanger buildings to enable use of the active recreation area, while providing a sufficient buffer to the dwellings. The final Landscape Plan shall address the requirements for recreation area and open space plantings.
4. The final Landscape Plan is subject to approval by the Cultural Resources Division, and is required prior to Final Plan approval. The applicant may need to alter the proposed Historic planting buffer to ensure that the plantings will not encroach or endanger the historic structure or cemetery.
5. The final determination of street tree approval is deferred to the OPZ/Transportation Division, and is required prior to Final Plan approval.

D. Recommendations:

1. The site plan shows that a majority of the single family dwellings extend to the rear Building Restriction Line (BRL). The applicant is reminded that per Article 18-4-701 principal structures in a cluster subdivision may not encroach into the cluster BRL of 50'. Should a future homebuyer desire to construct a deck, the deck would not meet Code requirements as currently depicted. The applicant is recommended to provide sufficient area for deck construction compliant with BRL regulations to avoid a subdivision with reduced capacity for amenities available to potential residents.

E. Decision:

OPZ/Planning/Environmental withholds approval. Items A2-8 and B1-5 as noted above, must be addressed prior to Sketch Plan approval.



Mark Wedemeyer, Director

Memorandum version February 01, 2021

TO: Teresa Russins, Senior Planner, OPZ Development Division

FROM: Ram L. Shrestha, P.E., CFM, Engineering Division, Department of Inspections and Permits

SUBJECT: Freshfield (Age Restricted)
Project Number #P21-0068-00 NS
Sketch Plan Review #03

DATE: December 14, 2022

Project Scope/Description – The site is located on the northwest side of Freshfield Lane approximately 500 feet west of the intersection with Shore Acres Road. The site consists of three parcels comprised of approximately 12.31 acres, zoned R-5. The proposed development includes 33 single family detached age restricted homes. The site has been identified as a cultural resources site and one existing building has been registered as a culturally significant house (the Hersch-Arnold House #AA0135) and will be preserved.

Engineering and Utility Review

The above-referenced project has been reviewed for Engineering and Utility issues and the following comments apply:

Adequacy of Public Facilities

The developer has opted to address adequacy of public facilities at this stage of the development process. Adequacy of public facilities is being addressed as follows:

Utilities:

A SWAMP analysis of public water and sewer services was performed and the Department of Public Works has indicated that the capacity is currently available for 37 EDU's (*however per new updated plan requires 34 EDU's*) of water and sewer. Adequacy of facilities for utilities has been adequately addressed for this development. The consultant/developer is being advised that the availability of capacity is not guaranteed until an allocation request has been processed and approved by the Department of Public Works.

Storm Drainage:

Adequacy of facilities for storm drainage has not been addressed. It has not been adequately demonstrated that the onsite drainage system and stormwater management system installed by the developer includes environmental site design to the maximum extent practicable, complies with the stormwater requirements of the Anne Arundel County Code, and is capable of conveying through and from the property, the design flow of storm water runoff originating on the site to an adequate outfall; and offsite downstream drainage systems are capable of conveying the design flow of storm water runoff to an adequate outfall between the northeast site outfall#1 to the Point of Investigation (POI) located along twin 27" culvert at Double Day Drive to the Magothy River located at

east of Birch Crest Court and southeast site outfall#2 to the Point of Investigation (POI) located along 24" culvert at College Parkway at the upstream of culvert located at the Candle Ridge Drive.

The following are comments regarding the plans as submitted; only the comments indicated in the closing paragraph will require a point by point response upon resubmittal:

A. Roads

The site has frontage along Freshfield Lane which is a county public road and is currently classified as a Local Road. The road along the entire frontage of this development has not been fully improved to the required county standard based upon its classification, however right of way dedication is being not required.

1. Modification M#16717AA for a driveway location to an intersection point of curvature and intersection sight distance shall be approved. Provide a modification note indicating modification number, decision date and description.
2. Verify the right of way and paving width label for road "B" located in front of Lot 27 to 33 and update. Also show and label these information on Road "B" in front of Lot 22 to lot 26.
3. What is the main road/entrance slope? Label in the plan. The road slope should be lesser than 4% slope.

B. Storm Drainage

Storm drainage through and from this development is accomplished by utilizing a combination of open swales and closed storm drain system.

1. The total flow at the existing culvert should be determined combine onsite and offsite for analysis. There should be one drainage area map that should include both onsite and offsite areas.

C. Stormwater Management

Stormwater management for this project is being addressed through the use of micro-bioreentions, R-tank and bio-swales.

1. Target PE has been commuted considering the entire site area HSG "D", while pre and post site discharge contains HSG B, C & D. (refer to TR-55 computation). Clarify this discrepancies and revised computation to be consistent.
2. County reviewer have noticed that a 35.43" Rtank Quad Modules has been utilized below micro-bioreentions to address overbank flood protection and has been proposed under Bio-facility A & J. However as per SWM report (page 119) it has been installed under bio-facility A, B, D, E, K, L, and M. Also clarify if R-tank can be installed under bio-swale "facility J"? County reviewer could not verify this on manufacture websites.
3. It appears that the R-tank has been design as an infiltration facility. A soil boring with infiltration rate determination is required to demonstrate that the facility will work as design. Also show the outfall location of 6" perforated underdrain pipe shown on micro-bioreention cross section detail (sheet 8).
4. Comments on SWM report:
 - i. Update report (introduction) to indicate the proposed lots are 34 in this development including 1 existing house.
 - ii. Verify impervious area of the proposed development and update computations accordingly.
 - iii. Add a column in the micro-bioreention and bio-swale sizing table (page 119 & 120) and show the equivalent PE achieve through the total storage volume provided to each practice. The equivalent PE achieved should not be greater than 5.2 inch (10-year storm runoff).
 - iv. Verify the Qp storage volume required and provided (page 121).
 - v. The tc values on TR-55 proposed (page 129) and reduced curve number (page 132.3) should be same.
5. Clarify how the R-tank will be cleaned since it will be installed below the micro-bioreention?. County reviewer could not verify the access to the R-tank.
6. The proposed R-tank below the micro-bioreention is a new conceptual design being submitted to the county. An internal discussion and literatures are being reviewed. County will get back to you by the end of this month for the acceptance of the design approach.

D. Utilities

This development is expected to be served by

- i) Public water in the Arnold/Broadneck water service area #32 (#03) - Existing Service Area.
 - ii) Public sewer in the Broadneck sewer service area (#05) - Existing Service Area.
1. A force main sewer Study (SS) shall be reviewed and approved by DPW.
 2. All units in the project exceed Max First Floor elevation and Max Day demands can't be met (<40 psi). Booster pumps are required in order to meet Max Day demand. Show the discharge point of water from the houses that need sump pumps and ensure that it will not cause erosion, run into neighbor's property or cross walk or a sidewalk.

E. Sketch Plan

1. No comments.

F. Flood Plain

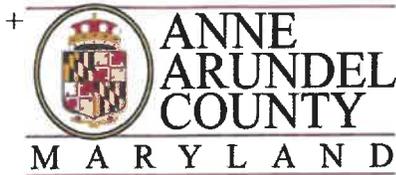
1. Provide a total (onsite and offsite) drainage area map at the twin 27" culvert in your next submittal. This comment has not been addressed. A floodplain study may be required per Section 7.8 of SW Practices and Procedures Manual If the total runoff, from the 10-year 24-hour storm is equal to or exceeds 100 cfs. https://www.aacounty.org/departments/planning-and-zoning/development/forms-and-publications/Practices_Procedures_Manual.pdf

G. Recommendations to Resolve Design Issues

1. Please contact this office to schedule a meeting to resolve the issues prior to next submission.

H. Determination/Recommendation

We are unable to grant Sketch Plan approval of these plans until comments A1-A3, B1, C1-C4, F1 and G1 have been adequately addressed.



Office of Planning and Zoning

Steve Kati-Ziegler, AICP
Planning and Zoning Officer

MEMORANDUM

TO: Teresa Russin, OPZ Development Division

FROM: Sarah E. Fowler, P.E., Transportation Development Review Team, Office of Planning And Zoning

SUBJECT: Freshfield (Age Restricted)
S21-021
P21-0068-00NS
Sketch Plan Review

DATE: November 22, 2022

Project Scope/Description – This project proposes to construct 33 age-restricted singly family units, retaining one existing single family dwelling.

Traffic Review

The above-referenced project has been reviewed for Traffic issues and the following comments apply:

The developer has opted to address adequacy of public facilities at this stage of the development process. Adequacy of Public Facilities is being addressed as follows:

Adequate Public Facilities for Roads:

Adequacy of Public Facilities for Roads has not been addressed for this development. The Traffic Impact Study (TIS) dated May 2022 has been reviewed. The study is considering 32 new detached senior single family dwellings, one existing single family dwelling to remain, and one single family dwelling to be removed. The study shows that the following portions of the surrounding road network will not operate at acceptable levels of service:

1. MD 2 @ College Parkway (PM) – CLV 1621(F)
2. College Parkway @ Jones Station Road/College Manor Drive (AM) – CLV 1519 (E)
3. Freshfield Lane – Section 1 from the site access to Gloria Harris Court (Road Rating 64)

Mitigation improvements are required. The applicant has proposed the following:

1. Mitigation "A" – MD 2 @ College Parkway – Contribute \$3,711 (\$1,237 x 3 PM critical trips) to CIP Project H563900 – AACC B&A Connector. This project will design, acquire right-of-way, and construct a hiker/biker trail along Jones Station Road from the Anne Arundel Community College west entrance on College Parkway to the B&A Trail.

"Recycled Paper"

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2. Mitigation "B" – College Parkway @ Jones Station Road/College Manor Drive – Upgrade the signal controller at this intersection. This mitigation improvement is supported by the Department of Public Works – Traffic Engineering Division.
3. Mitigation "C" – Freshfield Lane, Section 1 – The developer proposed clearing/trimming existing landscaping located within the County right-of-way in order to increase the sight distance from 100' to 175'. As has been explained previously, a road rating improvement does not necessarily result in the capacity improvement required by the county code. The developer subsequently proposed additional improvements to widen Freshfield Lane (from the Lot 34 access to Gloria Harris Court) where necessary in order to provide consistent 12' travel lanes.
4. Mitigation "D" – Additional Off-Site Improvements – install a pedestrian/bicycle crossing at the College Parkway at Shore Acres Road intersection.

The following mitigation comments must be addressed:

1. Mitigation "C" – please investigate whether more robust bicycle/pedestrian facilities could be provided to link this development (and the proposed BPTA connection to the Broadneck Trail) to Shore Acres Road.
2. Mitigation "D" – although the County may find this crosswalk beneficial at some time in the future, it is unclear what present benefit the connection would serve. Please provide further detail.

The following are comments regarding the plans as submitted; only the comments indicated in the closing paragraph will require a point by point response upon resubmittal:

A. Plans

1. The proposed 20' wide road is not in conformance with the requirements outlined in Orange Notice DPW-20-03. Lots between 30'-80' require a 7' parking lane (which does not include the required curb and gutter width).
2. Per Orange Notice DPW-22-08, all projects seeking PWA's will be required to be in conformance with new standard details for concepts, elements, and geometric requirements for curb ramp, sidewalk, and driveway apron construction including detectable warning surfaces, level landing areas, sidewalk passing zones, and running and cross slope requirements.
3. Ensure all driveways conform to standard detail I-4.
4. The driveway for Lot 12 does not appear to be functional.
5. The sidewalk adjacent to Lot 5 should be extended to the t-turnaround and ramped.
6. Driveways may not be located within 50' of the P.C. of the intersection curb radius.
7. As noted previously, the design does not appear to meet minimum horizontal curvature requirements outlined in the Design Manual.
8. As noted previously, address adequate sight distance for the Lot 1 driveway. The exhibit does not address intersection sight distance, which does not appear to meet design manual standards (see Chapter 3, Appendix P, Figure 7). Additionally, street trees provide an impediment to clear sight lines.
9. The following comments are made in coordination with the Department of Public Works Bureau of Highways:
 - i) Our office would prefer the developer upgrade the signal controller at the intersection of College Parkway and Jones Station Road/College Manor Drive as described in the revised mitigation proposal 10-26-2022, however, we would have no objection if OPZ decides to take the contribution to the capital project equal to the cost of an upgraded signal controller.
 - ii) Proposed sidewalks, curb ramps and curb and gutter must adhere to AACO guidelines per the Orange Notice.
 - iii) We have concerns over the ability for snow plow trucks to maneuver throughout proposed Road A & B and properly push snow that is not in front of a driveway. Please provide turning templates for a County snow plow as well as large truck w/ plow attached.

iv) Hiker Biker trail must be 10' wide.

B. Street Tree, Lighting, and Signing Plans

1. The following comments from the Department of Public Works Bureau of Highways are provided as a courtesy at this stage:
 - i) As required by Anne Arundel County Code 17-11-301 street lighting for proposed Road A&B and along the property frontage on Freshfield Lane will be a requirement of this subdivision prior to Final Plan approval. A Street Tree, Lighting and Signing Plan (STLS) shall be submitted.
 - ii) As required by Anne Arundel County Code 17-2-103, as indicated in the Anne Arundel County Design Manual, Chapter 3, Appendix P; Traffic Control Devices may be required. A Street Tree, Lighting and Signing Plan shall be submitted.
 - iii) Please submit a plan as indicated above. The plan should be developed in accordance with the guidelines issued by Anne Arundel County. See the Design Manual, Chapter 3. Existing streetlights, signs and all utility poles (including pole numbers) should be located and labeled on the plan. Please be sure to call out all storm water devices, swales, etc. on the plan. As street lighting locations can be affected by these devices.
 - iv) Any proposed lights must be 25 feet from any proposed street trees. Please refer to Figure 2 – Street Tree Placement Guidelines as found in the AA County Design Manual, Chapter 3, Appendix P.
 - v) Any no parking restrictions set in place by the Fire Marshall, shall be noted on the plat and confirmed with the OPZ. All no parking signs will need to be on the STLS plan as well as one overall “Parking Restriction Notice” sign should be added to the “Total Traffic Control Device Table”. This sign will be added to the approved cost estimate generated by this Office upon approval of the plan. Traffic Engineering will install the sign as soon as the construction is started. For more information please see

DPW Orange Notice 20-01

<https://www.aacounty.org/departments/public-works/orange-notice/>

- vi) Please add the Traffic Engineering approval stamp (below) to the CAD drawings to generate the finalized plan for our approval and the generation of a cost estimate.

APPROVED BY: _____
SIGNATURE: _____
DATE: _____

—
TRAFFIC ENGINEERING DIVISION
SIGNS & STREET LIGHTS ONLY

Notes: stamp width is 3", height is 1.5"

C. Bicycle, Pedestrian, and Transit Assessment (BPTA):

Per Article 17, Section 6-113, all development is required to provide public on- or off-site bicycle, pedestrian, or transit infrastructure in addition to any other site design requirements of the Code. Per Article 17, Section 6-113(d), the cost associated with an on-or off-site improvement shall not exceed the fee-in-lieu amount specified in 17-11-101, which for residential development is \$330/unit for residential, \$0.40/sf for non-residential, non-warehouse, or \$0.11 for warehouse. Per Section 6-113(1), the developer shall provide the improvements in accordance with an approved bicycle, pedestrian, and transit assessment (BPTA).

The applicant has proposed a sidewalk connection along Freshfield Lane between the site entrance and the proposed Phase III of the Broadneck Trail.

This office has the following comments on the Bicycle, Pedestrian, and Transit Assessment and the proposed improvements:

1. The proposed trail connection will require Rec & Parks Approval.
2. Based on the data provided and the reviewer's knowledge of the increase in material prices since the unit price list was published, this office supports the Applicant's proposal to provide the improvement listed above.
3. Please provide a sheet in the Final Plan Set and on the public plans that identifies the BPTA improvement location for review and approval.

D. Determination

We are unable to grant Sketch Plan approval of these plans until APF comments and comments A1-9 have been adequately addressed. BPTA requirements must be addressed prior to Final Plan approval.

J:\Shared\subdiv\Sarah\Freshfield (Age Restricted)\Freshfield -Age Restricted - Sketch Traffic 2022_11_22.docx



STEUART PITTMAN, COUNTY EXECUTIVE
JESSICA LEYS, DIRECTOR
RECREATION AND PARKS
1 HARRY S. TRUMAN PKWY
ANNAPOLIS, MD 21401
AACOUNTY.ORG/RECPARKS



MEMORANDUM

TO: Teresa Russin, Planner Residential Team
Office of Planning and Zoning

FROM: Bruce Bruchey & Dawn Thomas
Capital Projects Division

SUBJECT: Freshfield (Age Restricted)
Resubmittal
Subdivision No. S21-021
Project No. P21-0068 00NS

DATE: December 6, 2022

The Department of Recreation and Parks has reviewed the above plans to determine if there may be impacts to Anne Arundel County greenways, parks, and trails. Please note our recommendations according to those findings below. Conformance with the county code, along with applicable guidelines and regulations regarding open space, recreation area, active recreation area, public activity space, residential activity space, and usable area shall be deferred to the Office of Planning and Zoning.

- This site is contiguous to the Broadneck Trail. DRP would support a connection from Freshfield Lane to the Broadneck Trail as depicted on the October sketch plan submission with one comment. We request the final location of the connection be able to be field adjusted to limit impacts to existing trees.
- Please ensure no additional water will flow toward the Trail
- A portion of this subdivision lies within the Anne Arundel County Green Infrastructure Network, a proposed preservation area considered in the Anne Arundel County Green Infrastructure Master Plan.
 - We note 3.253 acres will be under forest conservation easement. The designation and location of the easements support the preservation efforts of the Greenways Master Plan.

The Department of Recreation and Parks has no further comments.

CC: Subcomments
File



M A R Y L A N D
Office of Planning and Zoning

2664 Riva Road, P.O. Box 6675
Annapolis, MD 21401
410-222-7450

Steve Kahi-Ziegler, AICP
Planning and Zoning Officer

September 29, 2022

Arnold Preservation Council
% Kathleen McCoun
P.O. Box 852
Arnold, MD 21012

RE: Freshfield P2021-0068-00-NS
September 26, 2022 Inquiry Letter Response

Dear Kathleen McCoun and the Arnold Preservation Council:

We appreciate the opportunity to respond to your letter with respect to the questions and concerns you have raised regarding the proposed development known as Freshfield. The Office of Planning and Zoning has reviewed the information you are seeking, and are able to provide responses, or as necessary, direct you to the best possible point of contact to aid you in answering the questions. We have included your original question in bold, with our responses directly below.

APC remains concerned about the divided-up recreation area. There is also a modification (#16719) for steep slopes in the recreation areas. How does that make it usable, especially for seniors?

Regarding the divided-up recreation areas, the applicant must meet Code requirements. Here are the applicable provisions regarding recreation area site layout from Article 17-6-111:

*(c) **Required recreation area generally.** Unless the Planning and Zoning Officer under subsection (g) requires the developer to pay a fee in lieu of recreation area, a single-family detached, townhouse, semi-detached, or duplex subdivision that provides open space under subsection (b) shall have at least 1,000 square feet of recreation area for each dwelling unit. A multifamily subdivision that provides open space under subsection (b) shall dedicate and use 20% of the gross area of the site as recreation area. At least 50% of the required*

recreation area shall be reserved for active recreation, such as shared-use paths, tennis courts, swimming and boating areas, playgrounds, and playfields. The remainder of the recreation area may be passive recreation area and may be encumbered by forest conservation easements that permit minimal disturbance for trails, stormwater management areas, or environmentally sensitive areas.

*(h) **Characteristics of active recreation area.** Recreation area to be used for active recreation may not include wetlands or stream buffers, floodplains, forest conservation easements, stormwater management or drainage facility easements, inlets, outfalls, stormwater management credit areas, or slopes over five percent. Recreation area shall:*

(1) be integrated into the subdivision design to create focal points along roads and at entrances;

(2) be square or rectangular in shape, to the extent practical, and suitable for recreation uses, such as tot lots, ball fields, and courts, or for recreation in formal parks and squares;

(3) have at least 20 feet of frontage on a public or private road;

(4) be centrally located among the lots it serves;

(5) be equitably distributed into two areas if the subdivision or site contains at least 50 residential lots or the site contains at least 50 residential units; and

(6) may include shared-use paths, which are not subject to the restrictions set forth in paragraphs (1) through (5) of this subsection.

Modification #16719A is under review. The County is currently waiting on the Engineer Consultant to provide an exhibit demonstrating the proposed areas having slopes greater than 5%.

The modification will be reviewed once a slope exhibit is provided by the applicant to determine if any safety issues exist, in addition to the practicality of the request and compliance with Article 17-2-108. Note that age-restricted is for residents aged 55 or over, so it is advantageous to the developer to consider the needs and desires of potential residents who will want a variety of recreational amenities and who will have a range of mobility ability.

Is the connection to the bike trail going to be via a sidewalk or bridge?

The Department of Recreation and Parks has asked the applicant to relocate the bike trail connection based on community feedback. Currently the site plan shows the proposed connection to the bike trail but does not specify the material proposed.

APC has not received as noted, “under separate cover are the responses to County comments to three modification requests.”

Please refer to the information provided at the conclusion of this letter.

Why are there so many fire hydrants?

Please reach out to the Fire Marshal Office and ask for Lt. Robert Flynn. He may be reached at fd001130@aacounty.org.

The houses are going to need sump pumps. Where are they going to discharge the water that will not cause erosion, run onto a neighbor’s yard, or cross a sidewalk?

Please reach out to the Inspections and Permits Engineer, Ram Shrestha. He may be reached at ipshre00@aacounty.org.

Where is one to turn around when stopping to collect their mail?

Given that the development proposes Single Family Dwellings, it is likely that each home will have a mailbox. At this time, the applicant has not shown a location for the required mail kiosk. We will evaluate the location, including any potential traffic hazards, when one is proposed.

If you have additional future questions related to car movement, please reach out to OPZ Transportation and ask for Sarah Fowler. She may be reached at pzfowl22@aacounty.org.

Regarding the fire access road only: Who has access to it? How is it going to be posted? How is one going to access it? Who maintains it?

Please reach out to the Fire Marshal Office and ask for Lt. Robert Flynn. He may be reached at fd001130@aacounty.org.

APC suggests a friction island at the entrance.

A "friction island" is not a method of traffic control currently in use in Anne Arundel County. Nonetheless we will work with the Department of Public Works to ensure the entrance to the development is within standards.

For additional information on traffic control options, please reach out to OPZ Transportation and ask for Sarah Fowler. She may be reached at pzfowl22@aacounty.org.

Are the retaining walls going to be public or private?

Retaining wall ownership and maintenance will be detailed in the HOA documents, which are required at the Final Plan stage of the development review.

Who maintains the fences?

Fence maintenance will be detailed in the HOA documents, which are required at the Final Plan stage of the development review.

APC requests a diagram showing the benefits of this being a cluster development vs a traditional development. Where are the enhancements to the environment?

The current site layout proposes 3.3 acres of forest retention protected via Forest Conservation Easement (FCE), and 0.2 acres of reforestation planting. Additional environmentally sensitive areas will be protected that include 1.81 acres of 25% or greater steep slopes, an intermittent stream and its 100 ft buffer, and nine specimen trees within the FCE.

Note that through the development review process, this information is subject to change due to revisions that may be required to meet various provisions of the County Code.

Additionally, cluster development regulations are subject to specific regulations of the County Code. Per Article 18-1-101, (31):

"Cluster development" means a residential development that permits variation in lot sizes without an increase in overall density and that preserves open space, tree cover, and similar natural features.

Here is a side by side comparison of bulk regulations for standard versus cluster development. This information is available in Article 18-4-701 and summarized below for reference:

Bulk Regulation	Standard Development	Cluster
Minimum lot size	7,000 square feet	No minimum
Coverage	Maximum coverage by structures: 40% of gross area	Maximum individual lot coverage by structures: Determined by setbacks and constraints imposed by characteristics of lot, coverage not to exceed 75%

Bulk Regulation	Standard Development	Cluster
Minimum width at front building restriction line	60 feet	40 feet
Maximum net density	Five dwelling units per acre	Five dwelling units per acre
Minimum setbacks for principal structures:		
Front lot line	25 feet	5 feet, but if parking is located in the front yard, 18 feet
Rear lot line	20 feet	10 feet
Side lot lines	7 feet	7 feet
Corner side lot line	20 feet	20 feet
Principal arterial or higher classification road	35 feet	35 feet
Other		Boundary line of the cluster development site: 50 feet from adjacent residentially zoned and developed property, except that the setback may be reduced by the Planning and Zoning Officer to preserve environmental features and the setback may be reduced to 25 feet if the adjoining lot is an open space lot created under § 17-6-111 of this Code
Minimum setbacks for accessory structures other than sheds that do not exceed 64 square feet in area and eight feet in height:		
Front lot line	40 feet	40 feet
Side and rear lot lines	7 feet or, for structures less than 8 feet in height (other than swimming pools, tennis courts,	7 feet or, for structures less than 8 feet in height (other than swimming pools, tennis courts,

Bulk Regulation	Standard Development	Cluster
	basketball courts, and similar private recreational facilities accessory to single-family detached, duplex, or semi-detached dwellings), 5 feet	basketball courts, and similar private recreational facilities accessory to single-family detached, duplex, or semi-detached dwellings), 5 feet
Corner side lot line	15 feet	15 feet
Maximum height limitations:		
Principal structures	35 feet	35 feet
Accessory structures	25 feet or the height of the principal structure, whichever is less	25 feet or the height of the principal structure, whichever is less

How are the BMP’s going to be accessed at the back? There is only 12 feet at the front. Please show public vs private BMP’s. What are the total conveyances?

Please reach out to the Inspections and Permits Engineer, Ram Shrestha. He may be reached at ipshre00@aacounty.org.

The soil is questionable and raise numerous concerns: Who has used “R Tanks” in the County? Who maintains them? Chart 3 shows 10% how did you reach that?

Please reach out to the Soils Conservation District, who will review the proposed development at the Final Plan and permit stage of the development review. The Soil Conservation District can be reach at: <https://www.annearundelscd.org/about-us/our-staff/>.

You may also contact the Engineer Consultant who prepared the charts regarding Chart 3. Mr. Tim Brenza can be reached at tim@messickandassociates.com.

Note that in regards to your request for more information on the project’s modifications, an email will be sent that will include the digital pdf versions of the modification submittals with the updates from the applicant included.

If you have any further questions, please contact Teresa Russin at pzruss00@aacounty.org.

Thank you for your consideration,

Teresa Russin /s/

Teresa Russin, AICP
Office of Planning and Zoning

CC: Steve Kaii-Ziegler, OPZ
Lori Rhodes, OCE
Lori Allen, OPZ
Christine Duvall, OPZ
Ram Shrestha, I&P
Kevin Holland, SCD
Steve Miller, Arnold Preservation Council
Amanda Fiedler, County Council
File

Hala Flores, I&P
Sarah Fowler, OPZ
Martha Arzu-McIntosh, OPZ
Lt. Robert Flynn, Fire
Tim Brenza, Messick & Associates
James Kitchin, OCE
Karen McCoun, Arnold Preservation Council
Whitehall Development LLC



P.O. Box 852 | Arnold, MD 21012 | www.arnoldpreservationcouncil.org

Mr. Steve Kaii Ziegler, Director
Anne Arundel County Office of Planning & Zoning
2664 Riva Road
Annapolis, MD 21401

Chick-Fil-A, Arnold
Project # C2022-0013-00-PP

Dear Mr. Ziegler,

November 30, 2022

Arnold Preservation Council (APC) submits the following comments for the record.

APC objects to Modification Requests # 2 and # 4.

Modification Request No. 2 - Forest Retention Below the BEP

Construction of the restaurant and associated infrastructure will result in the removal of an additional 2.33 acres of forest. The current condition of the forest is due to lack of attention and can easily be remediated. After all the work the county has done to improve the Forest Conservation Policy, we request it be enforced.

In a letter to APC dated June 2, 2022, Ms. Fowler wrote, "The development may not be approved without first demonstrating compliance with all Anne Arundel County Code requirements." We hereby request 17-6-303 D1 be enforced.

Modification Request No. 4 – Disturbance to Steep Slopes

APC objects to the premise, "Since the steep slopes are located upslope and north of the proposed Chick-Fil-A, the grading of the area will result in stabilization of the steep slope. Fill depths across the site exceed 15 feet in some location."

Thinking that disturbing steep slopes and then grading with fill dirt MORE THAN 15 FEET will be an improvement is a false assumption. This is an extreme remediation effort to force fit a restaurant into an inappropriate location.

The mission of Arnold Preservation Council is to unite the community of Arnold, preserve its rural heritage and enhance its environment by advocating responsible growth, linked neighborhoods, local businesses and excellent schools

The effects of this proposed development cannot be modified or mitigated in other ways. Granting the removal of forest area, the disturbance of steep slopes, and the requested amount of impervious surface area will not only have demonstrable negative impacts on the Chesapeake Bay watershed, but also the quality of life for Arnold residents.

We look forward to continuing working together with you on this project.

Sincerely,



Kathleen McCoun
APC President