

#### VIA ELECTRONIC MAIL

Mr. Ryan Din Regulatory & Compliance Engineer Waterway Construction Division Maryland Department of the Environment 1800 Washington Boulevard Baltimore, Maryland 21230

Re: Suffrage Point (Werrlein WSSC, LLC)

Hyattsville, PG County, Maryland

NTW Application Number: 21-NT-0448/202161394

AI Number: 172012

Mr. Din,

Please consider this as a formal response to your request for additional information dated September 9, 2021 regarding the above referenced project. I will address the items sequentially as outlined in your request letter.

Comment 1) Please explain how the work was started without a Wetlands and Waterways permit?

Response: Our client was given approval for the County Floodplain by DPIE for compensatory storage and revision to the FP line by Prince George's County M-NCPPC. Their recorded Plat shows the revision of the Floodplain line. They were not impacting any Wetlands with their initial removal of the existing untreated parking lot and associated SCD approved E&S controls shown on the approved green stamped plans. During the preconstruction meeting they were given the approval to proceed with the approved Rough Grading plans.

Comment 2) Please quantify the 100-year floodplain impacts, both permanent and temporary. Also include the cubic yards of fill and cut.

Response: The entire existing floodplain (2.36 acres) will be permanently impacted to increase the storage capacity from 7,597.21 cubic yards to 9,164.05 cubic yards. All floodplain impacts will be permanent. The amount of fill is 88.40 cubic yards, and the amount of material to be excavated is 4,852.92 cubic yards.

Comment 3) The project requires that a public notice be placed in the local newspaper when the application is complete. Please see link below to obtain the Billing Approval Form.

Response: Acknowledged. Please find the signed Public Notice Billing Approval Form attached.

Comment 4) The project requires that contiguous property owners and local officials must be notified of the project and the certification of notification form be returned to us before your application is considered complete. Please see link below to obtain form.

Response: Acknowledged. Please find the Certification of Notification Form attached with copies of the adjoining property owner/local official notification letters.

Comment 5) The project got a hit for possible archeological resources. The Department forwarded a copy of the application to the Maryland Historical Trust (MHT) for review. We will promptly forward any comments received.

Response: Acknowledged.

Comment 6) Please state whether the wetland buffer and wetland impacts are permanent or temporary. Also, please quantify impacts.

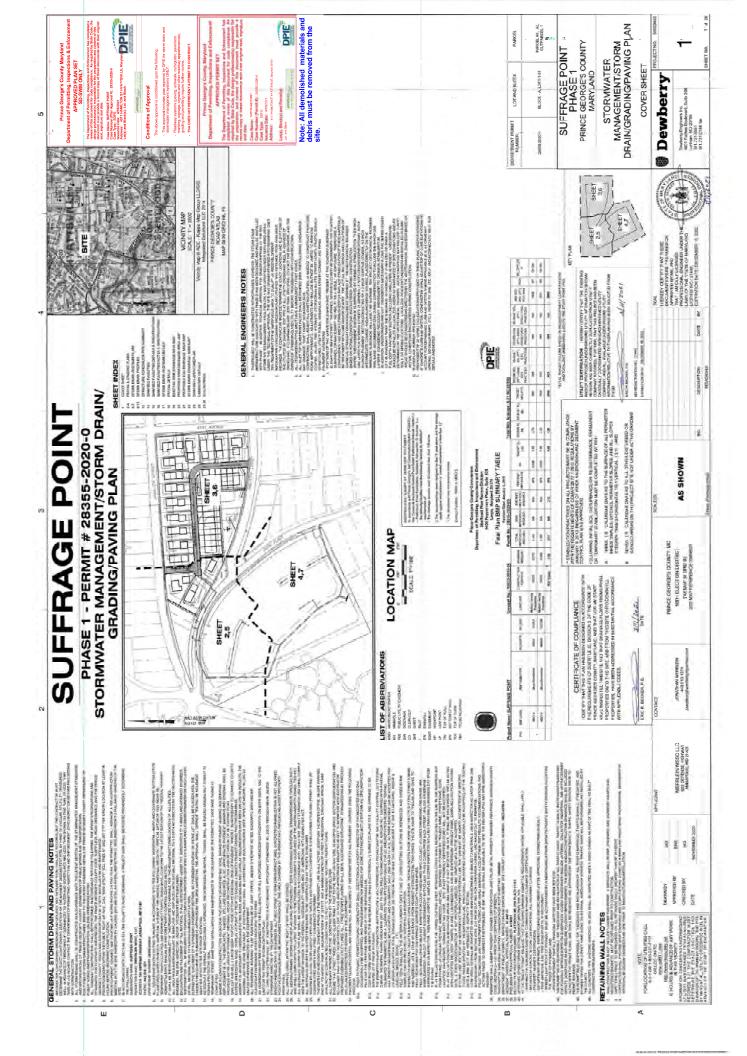
Response: All proposed impacts to resources will be permanent. There will be 498 ft<sup>2</sup> of permanent wetland impact, and 4,914 ft<sup>2</sup> of permanent wetland buffer impacts. There will be no temporary impacts to wetlands, buffers or floodplain.

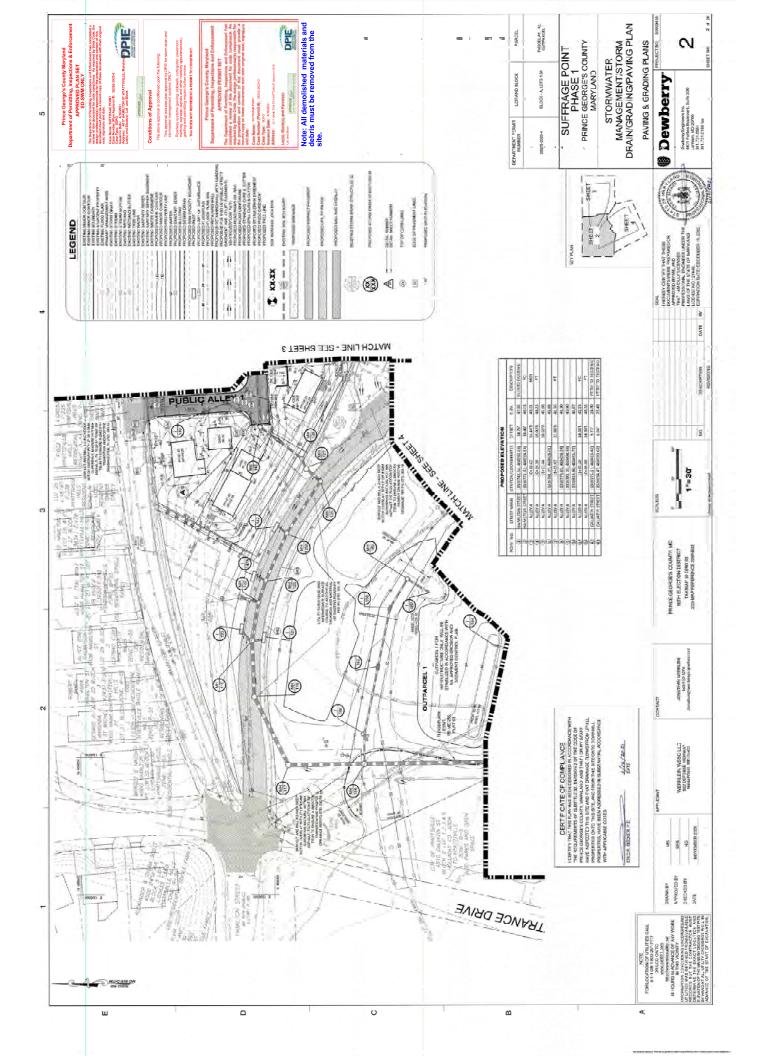
I believe the information above adequately addresses the items raised in your request letter. However, should you have any questions or require any additional information, please do not hesitate to contact me at your convenience.

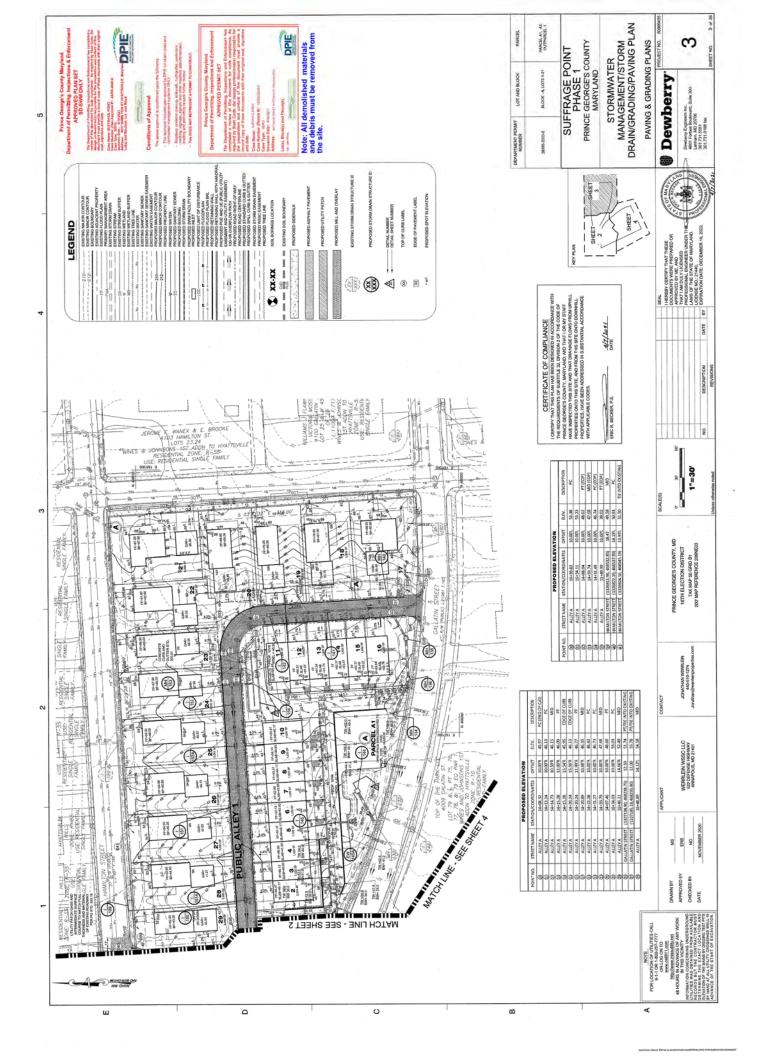
Very truly yours,

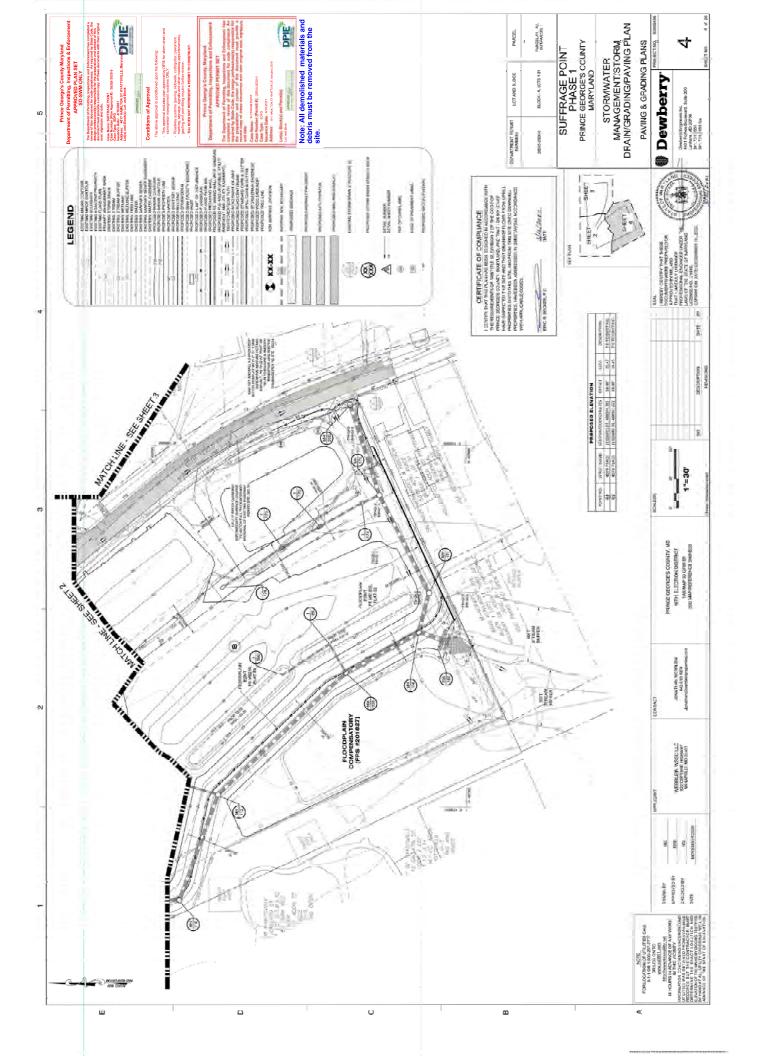
Jacob M McCarthy

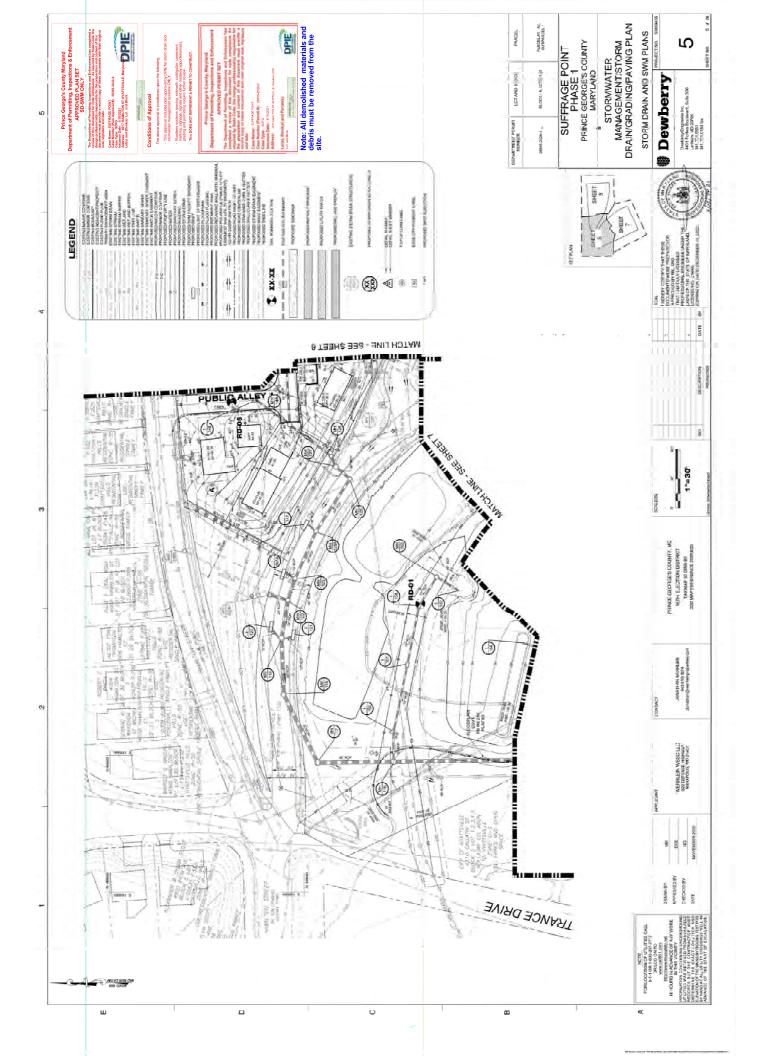
CC: Karl Granzow (Werrlein WSSC LLC)
Sean Bruce (S.F.B Development)
Daniel Schlegel (Dewberry)

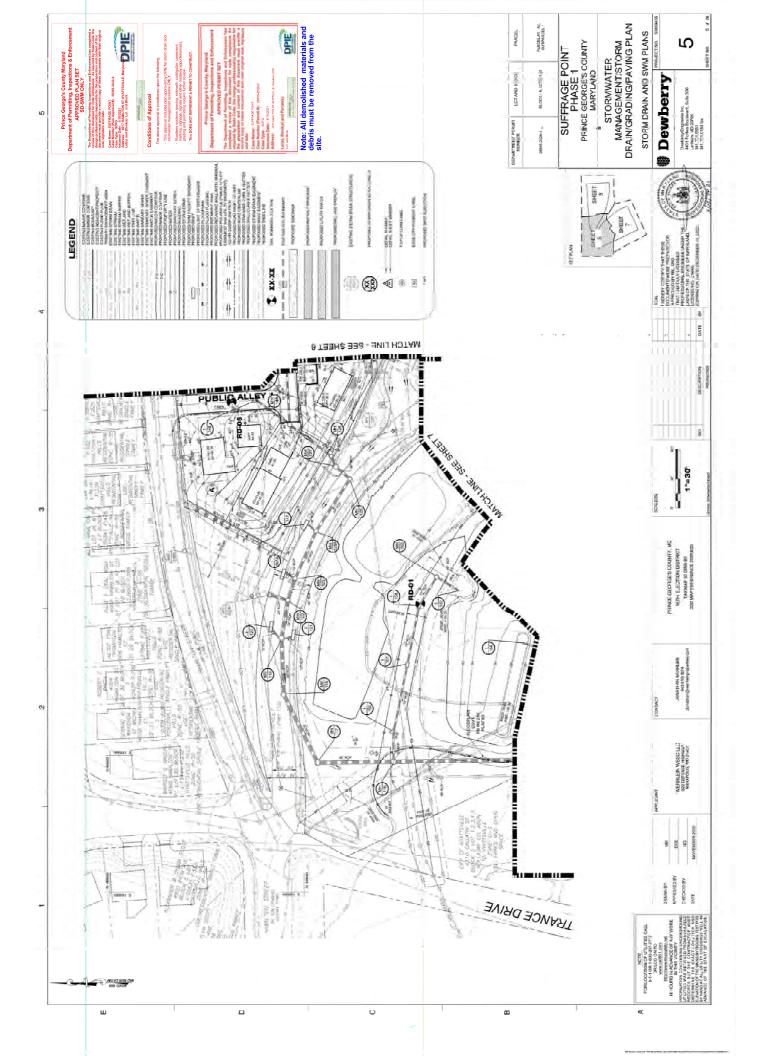


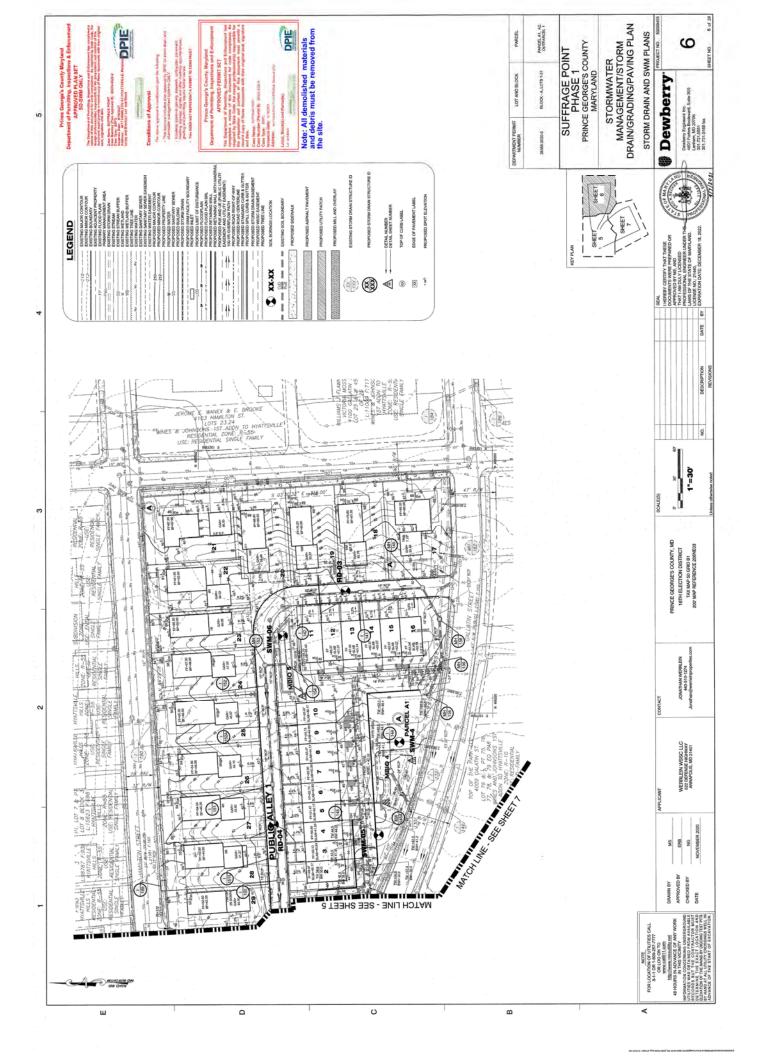


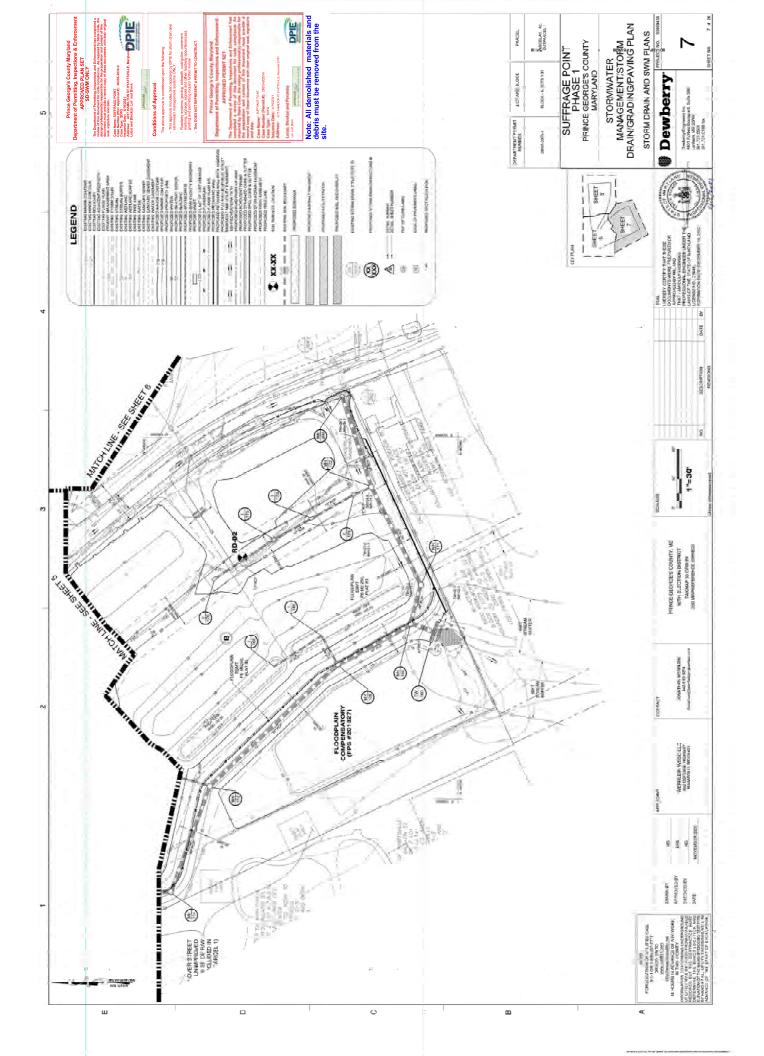


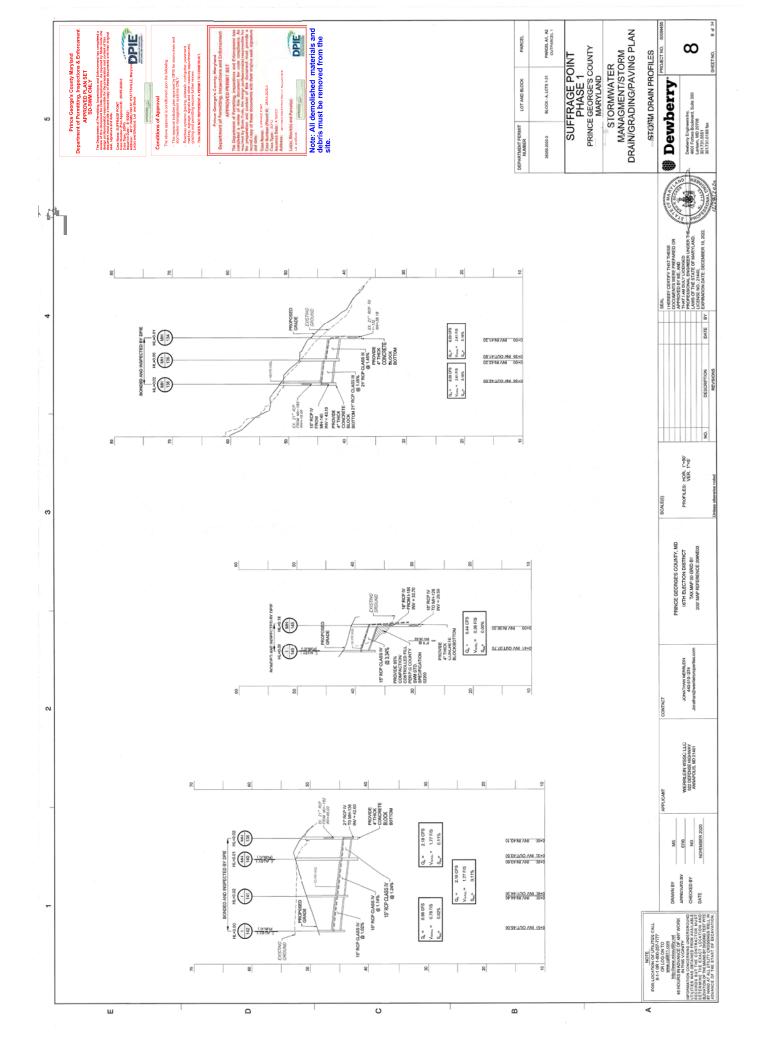


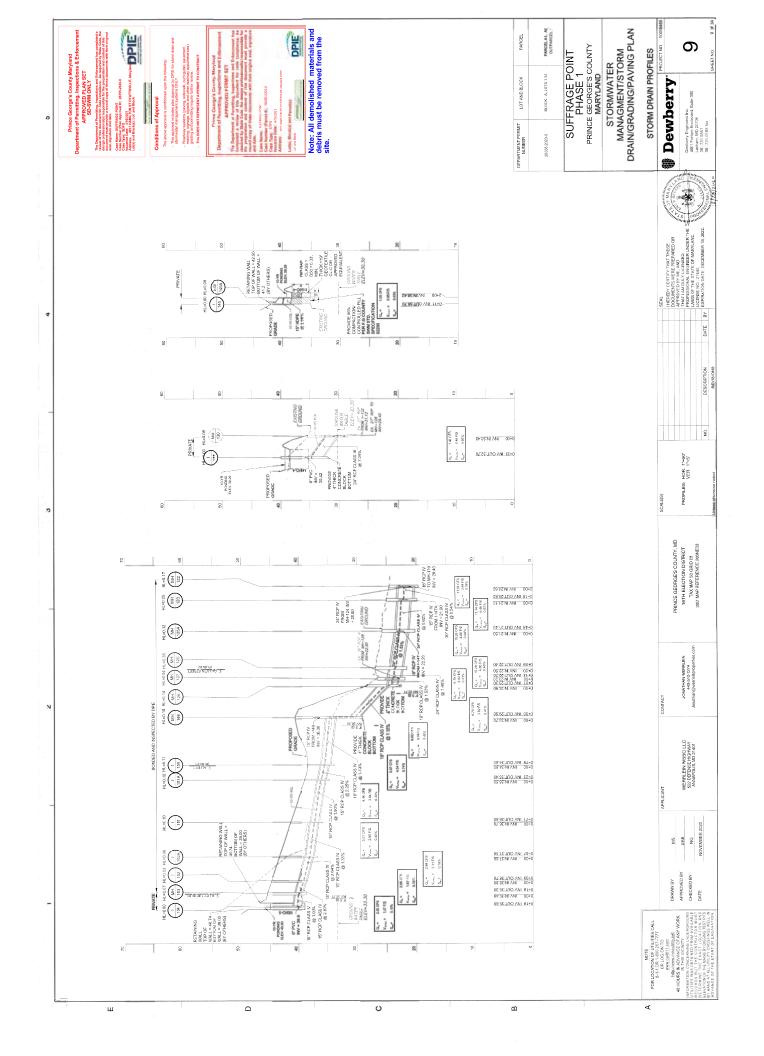


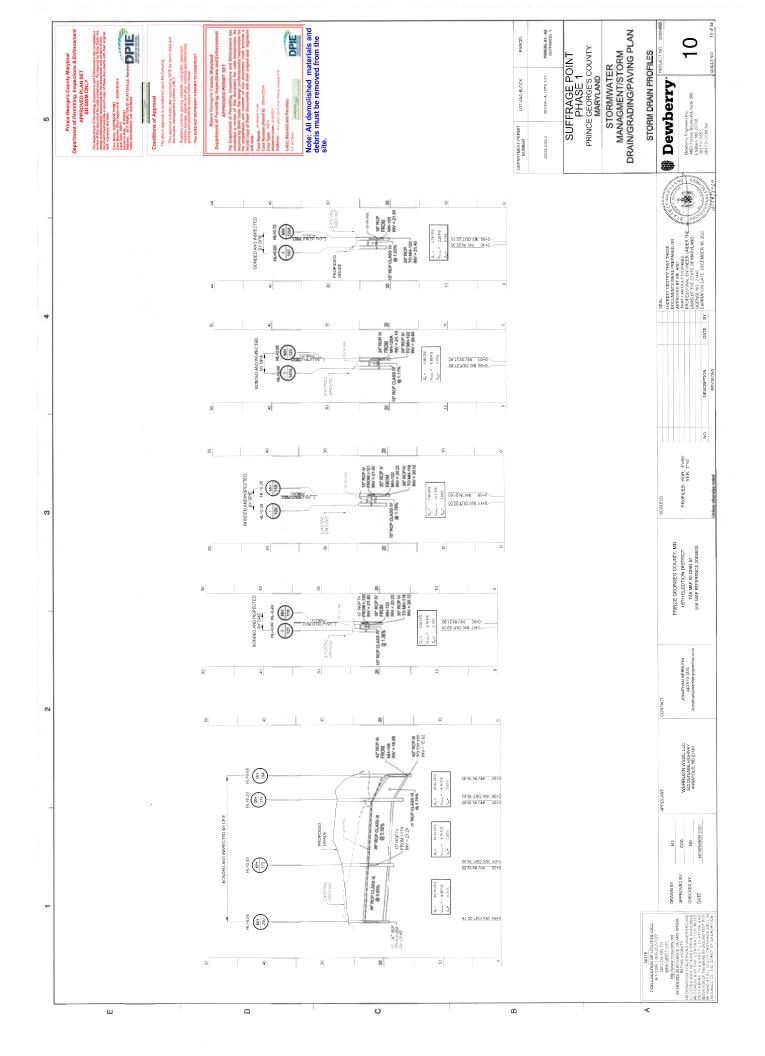


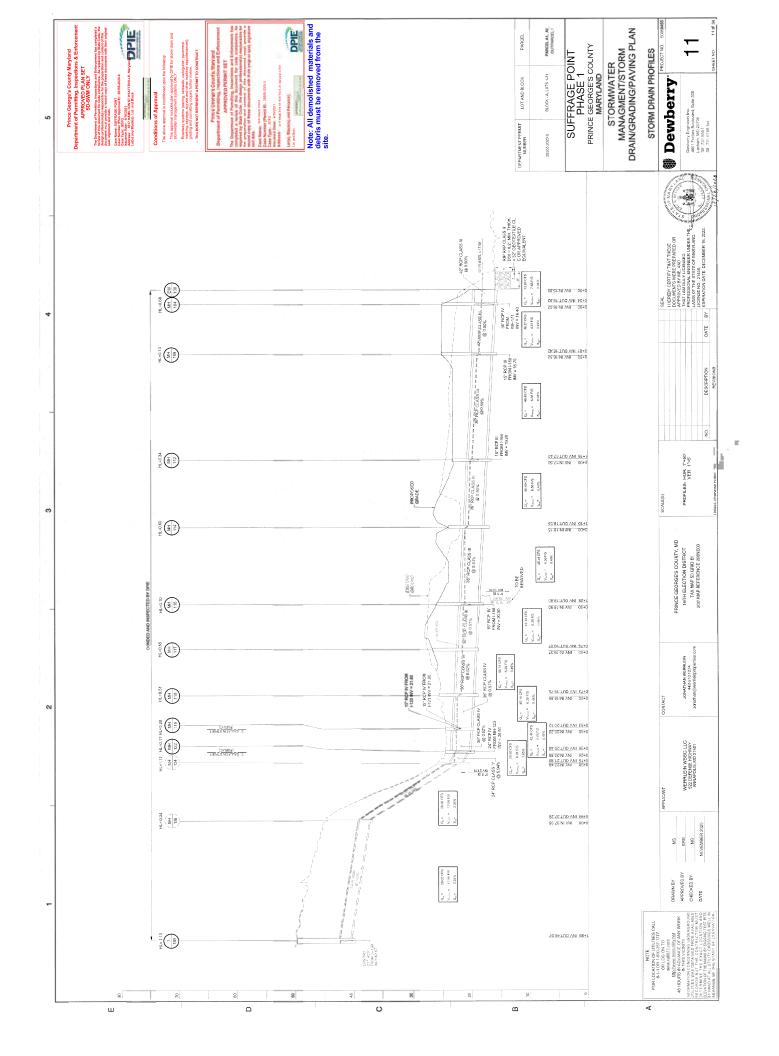


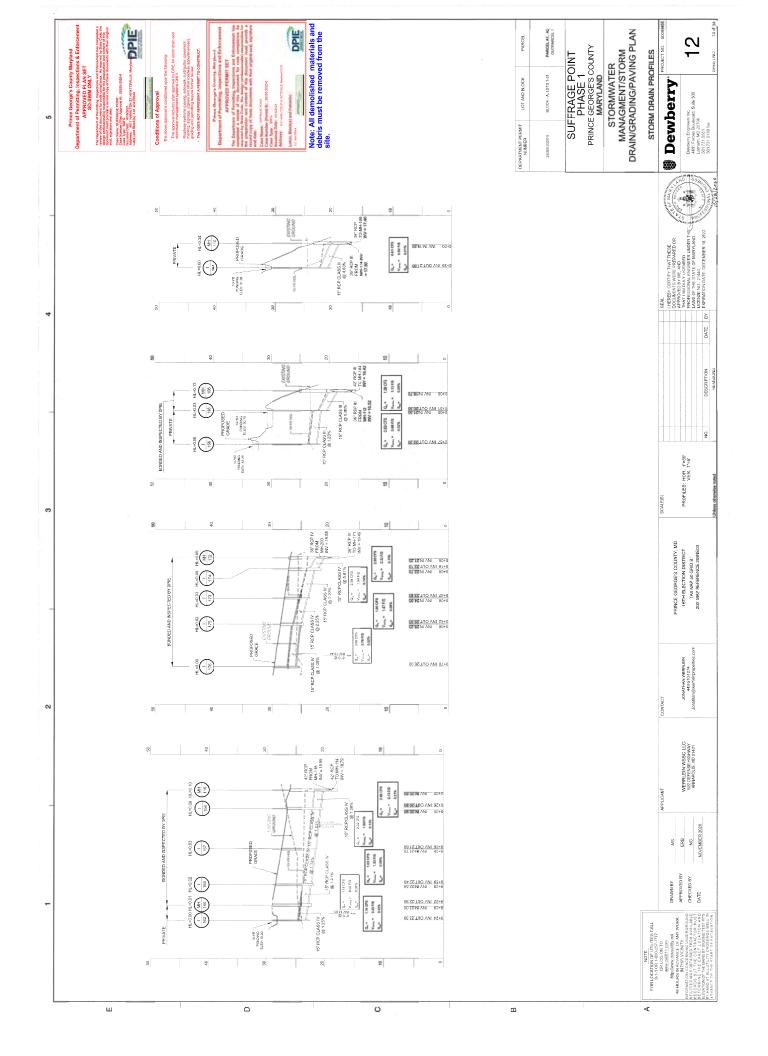












STORMWATER
MANAGEMENT/STORM
DRAIN/GRADING/PAVING PLAN
STRUCTURE SCHEDULE
& PIPE SUMMARY
& PIPE SUMMARY

REPER SUMMARY
REPER SUMMARY
REPER SUMMARY
REPER SUMMARY
REPER SUMMARY
REPER SUMMARY
REPER SUMMARY
REPER SUMMARY
REPER SUMMARY
REPER SUMMARY
REPER SUMMARY
REPER SUMMARY
REPER SUMMARY PARCEL AT, A2, OUTPARCEL 1 PPIE Note: All demolished materials and debris must be removed from the site. 13 SUFFRAGE POINT PHASE 1 PRINCE GEORGE'S COUNTY MARYLAND Prince George's County Maryland ment of Permitting, Inspections & Enforc APPROVED PLAN SET SD-SWM ONLY BLOCK - A, LOTS 1-31 LOT AND BLOCK Dewberry Devisory Engineers for, 4601 Forbes Boulevant, Suile 300 Lunium, MD 20708 301,731,5661 301,731,0188 fax DEPARTMENT PERMIT NUMBER PIPE SUMMARY (PUBLIC) PIPE SUMMARY (PRIVATE) RCP IV HDPE RCP IV BCP Ⅲ SIZE LENGTH TYPE NOTE: ALL STORM DRAIN PIPES TO HAVE RUBBER GASKETS. 24. DATE STORM DRAIN PIPE SCHEDULE Ö. FROM AS SHOWN PRIVATE PUBLIC PUBLIC NBUC PRINCE GEORGES COUNTY, MD
16TH ELECTION DISTRICT
TAX MAP BO GRID B1
200 MAP REFERENCE 200NE03 WEIR OPENING ALL SIDES. WEIR EL. = 39.17 LENGTH - 2Z - 6" LENGTH - 15 - 9" 31.56 NYLOPLAST 7001-110-397 33.09 NYLOPLAST 7001-110-397 JONATHAN WERBLEIN 442-510-1274 Jonathan@werfeinproperties.co SD 16.0 SD 21.1 28.59 28.49 26.28 23.18 25.50 25.41 INVERT IN INVERT OUT UPPER LOWER ELEV. 40.62 40.00 42.25 STRUCTURE TABLE 18.80 TYPE "B" SHALLOW MANHOLE TYPE "B" SHALLOW MANHOLE INLOPLAST INLET
NYLOPLAST INLET TYPE 'A' MANHOLE YPE 'A' MANHOLE DOUBLE SINLET DOUBLE SINLET XOUBLE S INLET NYLOPLAST INLET TYPE 'A' MANBIOLE TYPE 'A' MANHOLE MS ERB NG WR INLET TYPE E INLET TYPE NUMBER 134 134 138 <del>1</del> 8 1 Z 2 POR LOCATION OF UTILITIES CALL

FOR LOCATION OF UTILITIES CALL

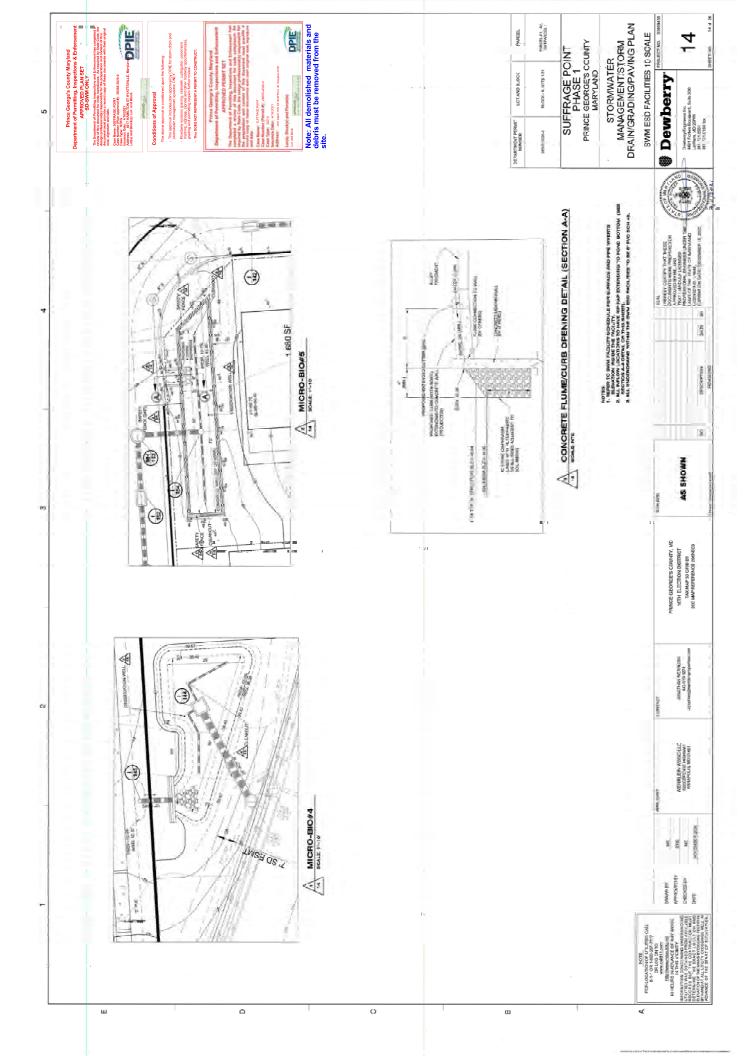
GRIDGO ON TO CONTROL OF UTILITIES CALL

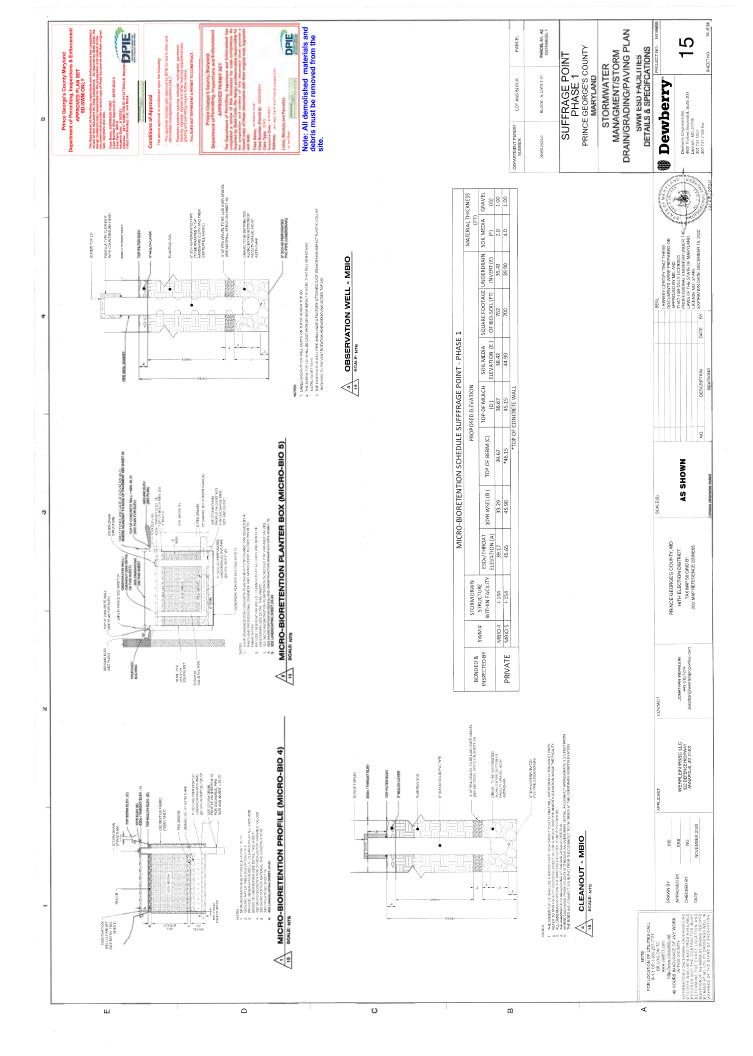
GRIDGO ON TO CONTROL ON PRIVATE PISVATE PRNATE PUBLIC PUBLIC PUBLIC PUBLIC O В ۵

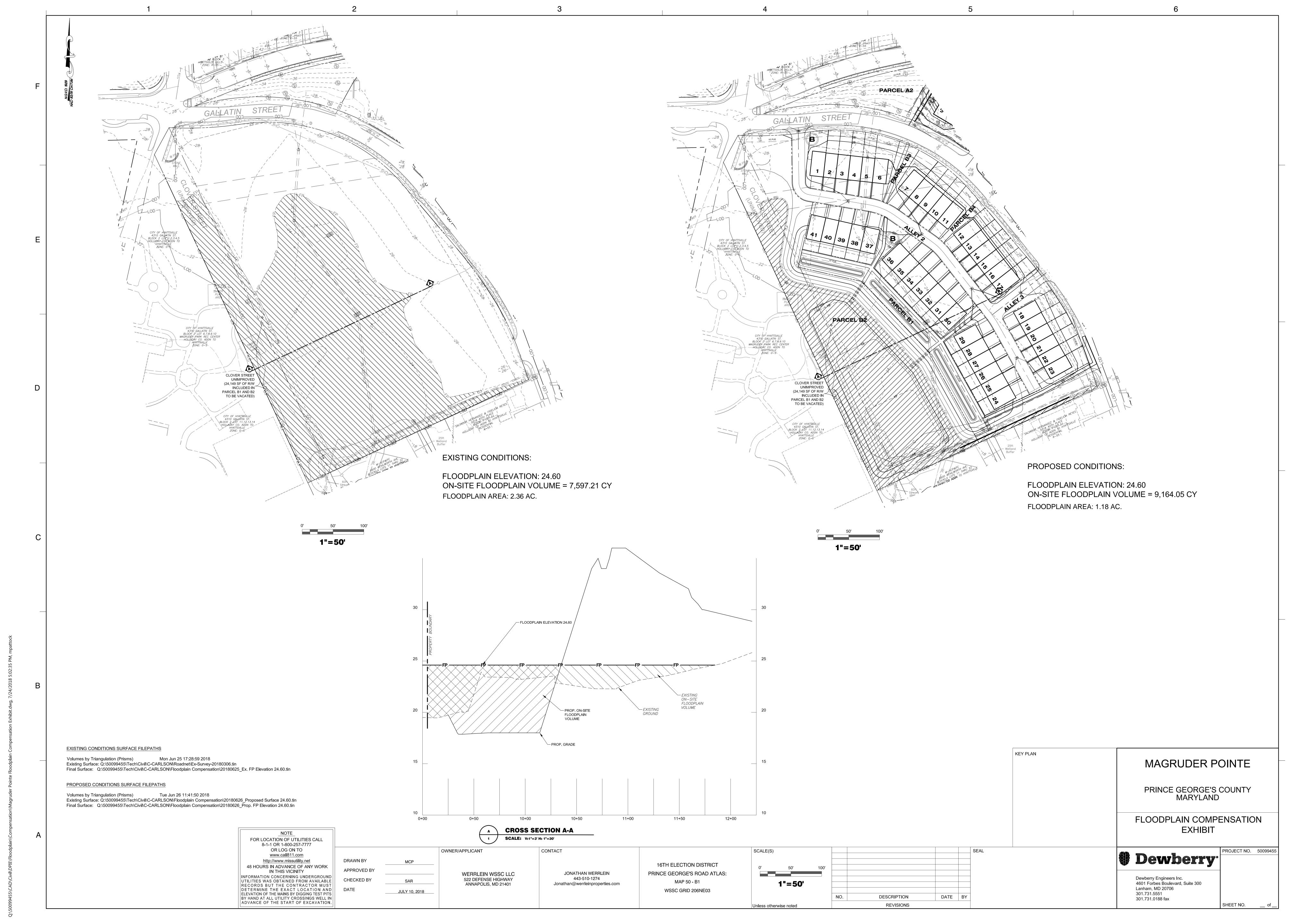
2

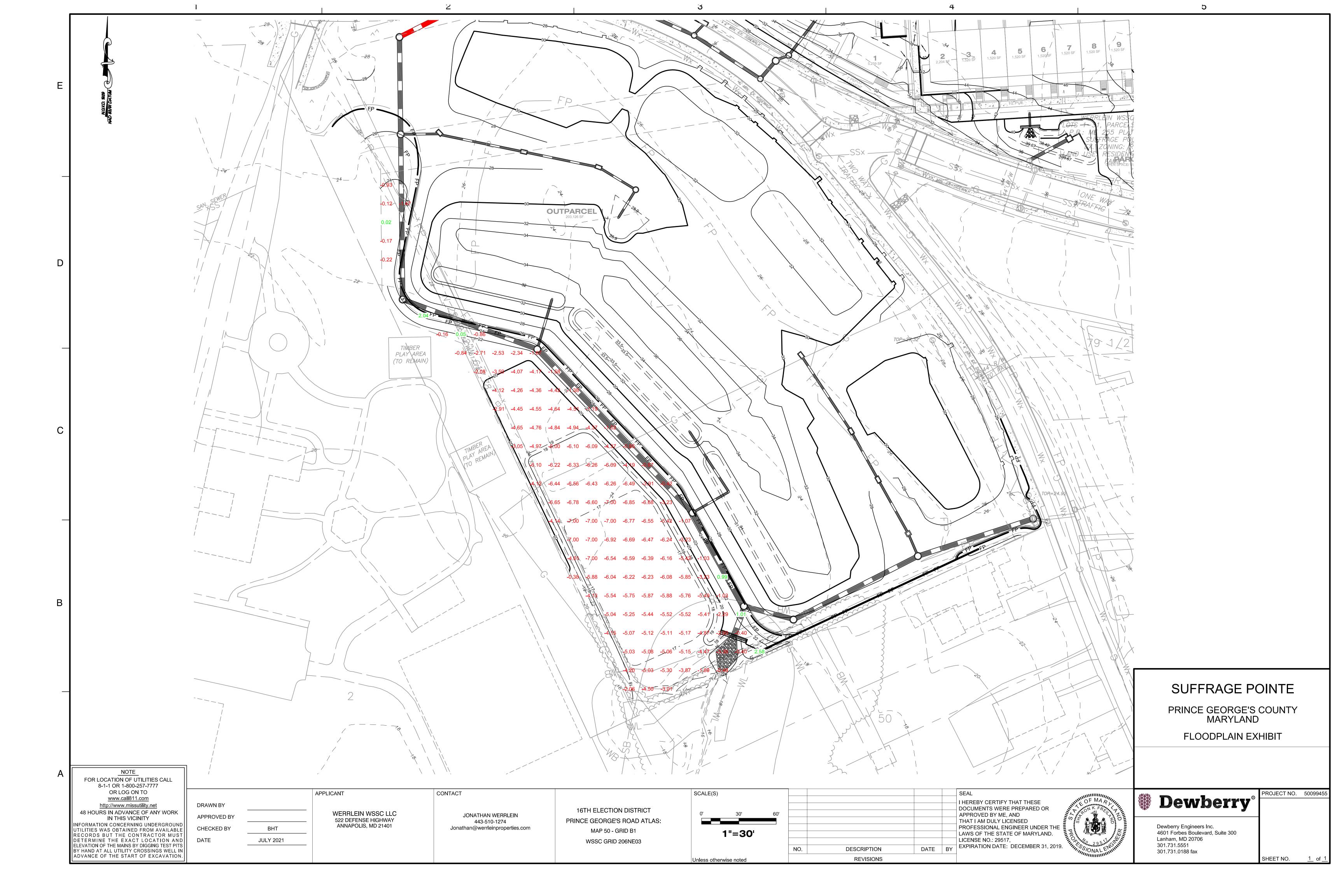
က

PARCE.









### **Cut/Fill Report**

**Generated:** 2021-09-21 15:25:06

**By user:** mbrantley

**Drawing:** \CAD\Civil\DPIE\Floodplain\Compensation\Suffrage Pointe Original

Floodplain Compensation Exhibit 092121.dwg

Volume Summary							
Name	Туре	Cut Factor	Fill Factor	2d Area (Sq. Ft.)	Cut (Cu. Yd.)	Fill (Cu. Yd.)	Net (Cu. Yd.)
Original Floodplain Grading & Existing	full	1.000	1.150	30895.35	4854.92	88.40*	4766.51*

Totals				
	2d Area (Sq. Ft.)	Cut (Cu. Yd.)	Fill (Cu. Yd.)	Net (Cu. Yd.)
Total	30895.35	4854.92	88.40*	4766.51*

<sup>\*</sup> Value adjusted by cut or fill factor other than 1.0

# MARYLAND DEPARTMENT OF THE ENVIRONMENT WATER AND SCIENCE ADMINISTRATION NONTIDAL WETLANDS AND WATERWAYS DIVISION 1800 WASHINGTON BLVD., SUITE 430 BALTIMORE, MARYLAND 21230 410-537-3745

#### PUBLIC NOTICE BILLING APPROVAL FORM

PROJECT NUMBER: <u>21-NT-0448</u> <u>AI# 172012</u>

I agree to pay all expenses associated with the publishing of a public notice for the Nontidal Wetlands and Waterways Application submitted by Werrlein WSSC LLC (Applicant's Name), which was dated and signed by you on July 19, 2021.

		Karl Granzow Applicant/Agent Sig	09/10/2021
		Applicant/Agent Sig	nature
		Mr. Karl Granzow	
		Printed Name of Sig	jnee
TRACKING NO. <u>2</u>	<u>02161394</u>		
	Please Pr	rint	
Billing Address	522 Defense Highway		
	Annapolis, MD 21401		
Phone Number	301-233-3721		

#### NOTICE TO APPLICANTS

Certain projects involving nontidal wetlands and waterways permits require that a description of the proposed project be published in a local newspaper. This advertisement is necessary to fulfill legal public notice requirements. Projects that require public notice include, but are not limited to, the following:

- Certain projects regulated by the U. S. Army Corps of Engineers that require a State Water Quality Certification.
- Projects resulting in a loss of more than 5,000 square feet of nontidal wetlands.
- Projects in nontidal wetlands of special State concern or wetlands having special plant or wildlife values.
- Projects resulting in a loss of more than 1 acre if isolated nontidal wetlands.
- Projects affecting waters of the State, including their 100 year frequency floodplain, except roads, bridges, and culverts that meet minimum design standards, temporary construction, minor repairs, or routine maintenance.

The Water and Science Administration will arrange advertisement of the project for you. However, as the applicant for the project, you are responsible for paying the publishing costs. In order for this process of public notice to occur, your approval is necessary prior to publishing. Please complete the form on the other side of this page and return it to the Water and Science Administration so that your proposed project may be advertised without delay. Please make sure to sign the form. Processing of your application cannot continue until a signed form is received.

Please call the Nontidal Wetlands and Waterways Division at 410-537-3745 if you have any questions.

Thank you for your assistance in this matter.

#### PLEASE COMPLETE THE OTHER SIDE OF THIS PAGE

lso, please provide the names and mailing addresses of adjacent property wners. Add additional pages if needed.		
See attached		

#### CERTIFICATION OF NOTIFICATION

#### ATTENTION APPLICANT:

Please complete this form and return to Wetlands and Waterways Program, Water Management Administration, 1800 Washington Boulevard, Baltimore, MD 21230. Be sure to include the Division number, a copy of the tax map and your notification letter, and sign the form. Please include complete names and complete addresses, including zip codes. Your application is incomplete until this certification is received.

Tracking No: <u>202161394</u> Division Assigned Staff: <u>Ryan Din</u>	No: AI No.:172012
Description of the project:	
	ntial development with the associated infrastructure  0-year floodplain volume capacity of the southern portion
Please list all persons notified below if necessary)	w: (continue on reverse side or attach additional sheets
NAME	ADDRESS
_See attached list	
If delivery was not made to certain non-delivery on the reverse side of this	n persons, please list those persons and the reasons for form.
	persons who own properties which have a common boundary ocal officials have been notified. I have notified them by
Jacob M McCarthy Signature of Applicant	_September 17, 2021 Date
Jacob M McCarthy Please Print Name	_(301) 627-7505, ext. 901 Telephone Number

#### Suffrage Point Hyattsville, PG County, Maryland Adjoining Property Owners



1.	Mayor & Council City of Hyattsville 4310 Gallatin Street Hyattsville, MD 20781	4.	Lesley Riddle Department of Public Works City of Hyattsville 4310 Gallatin Street Hyattsville, MD 20781
2.	MNCPPC Park Planning & Development Division 6600 Kenilworth Avenue Riverdale, MD 20737	5.	Angela Alsobrooks Prince George's County Executive 1301 McCormick Drive, Suite 4000 Largo, MD 20774
3.	Salvador & Fidelicia Rey Hernandez 5018 40 <sup>th</sup> PL Hyattsville, MD 20781		



#### CERTIFIED MAIL # 7020 2450 0000 9950 6955

The Honorable Angela D. Alsobrooks Prince George's County Executive 1301 McCormick Drive, Suite 4000 Largo, MD 20774

Re: Suffrage Point (Werrlein WSSC, LLC)

Hyattsville, PG County, Maryland

NTW Application Number: 21-NT-0448/202161394

AI Number: 172012

#### To whom it may concern:

Werrlein WSSC, LLC has submitted an application to Maryland Department of the Environment's Nontidal Wetlands & Waterways Division of the Water Management Administration (WMA) for a permit to authorize the development of the above referenced property to construct a residential development along with the associated installation of utilities and roadways to serve it. The project site is located on the northside of Gallatin Street and the westside of 40<sup>th</sup> Place in Hyattsville, Prince George's County, Maryland. The proposed work consists of clearing, grading, and filling, as well as the installation of sewer, storm drain, water and other utilities. The proposed project will permanently impact 498 square feet of nontidal wetlands, and 4,914 square feet of wetland buffers.

Since you are a contiguous property owner or an appropriate local official, you are being notified of the proposed project. Persons wishing to review the plans for this project may contact me at the address listed below. If you have any questions concerning the application, please call me at 301-627-7505, extension 904.

Sincerely,

Environmental Technician

CC: Karl Granzow (Werrlein WSSC LLC) Sean Bruce (S.F.B Development)



#### CERTIFIED MAIL # 7020 2450 0000 9950 6962

Ms. Lesley Riddle Department of Public Works City of Hyattsville 4310 Gallatin Street Hyattsville, MD 20781

Re: Suffrage Point (Werrlein WSSC, LLC)

Hyattsville, PG County, Maryland

NTW Application Number: 21-NT-0448/202161394

AI Number: 172012

To whom it may concern:

Werrlein WSSC, LLC has submitted an application to Maryland Department of the Environment's Nontidal Wetlands & Waterways Division of the Water Management Administration (WMA) for a permit to authorize the development of the above referenced property to construct a residential development along with the associated installation of utilities and roadways to serve it. The project site is located on the northside of Gallatin Street and the westside of 40<sup>th</sup> Place in Hyattsville, Prince George's County, Maryland. The proposed work consists of clearing, grading, and filling, as well as the installation of sewer, storm drain, water and other utilities. The proposed project will permanently impact 498 square feet of nontidal wetlands, and 4,914 square feet of wetland buffers.

Since you are a contiguous property owner or an appropriate local official, you are being notified of the proposed project. Persons wishing to review the plans for this project may contact me at the address listed below. If you have any questions concerning the application, please call me at 301-627-7505, extension 904.

Sincerely,

Jacob M McCarthy
Environmental Technician

CC: Karl Granzow (Werrlein WSSC LLC)
Sean Bruce (S.F.B Development)



#### CERTIFIED MAIL # 7020 2450 0000 9950 6979

Salvador & Fidelicia Rey Hernandez 5018 40th PL Hyattsville, MD 20781

Re: Suffrage Point (Werrlein WSSC, LLC)

Hyattsville, PG County, Maryland

NTW Application Number: 21-NT-0448/202161394

AI Number: 172012

#### To whom it may concern:

Werrlein WSSC, LLC has submitted an application to Maryland Department of the Environment's Nontidal Wetlands & Waterways Division of the Water Management Administration (WMA) for a permit to authorize the development of the above referenced property to construct a residential development along with the associated installation of utilities and roadways to serve it. The project site is located on the northside of Gallatin Street and the westside of 40<sup>th</sup> Place in Hyattsville, Prince George's County, Maryland. The proposed work consists of clearing, grading, and filling, as well as the installation of sewer, storm drain, water and other utilities. The proposed project will permanently impact 498 square feet of nontidal wetlands, and 4,914 square feet of wetland buffers.

Since you are a contiguous property owner or an appropriate local official, you are being notified of the proposed project. Persons wishing to review the plans for this project may contact me at the address listed below. If you have any questions concerning the application, please call me at 301-627-7505, extension 904.

Sincerely,

Environmental Technician

CC: Karl Granzow (Werrlein WSSC LLC)
Sean Bruce (S.F.B Development)



#### CERTIFIED MAIL # 7020 2450 0000 9950 6986

MNCPPC Park Planning & Development Division 6600 Kenilworth Avenue Riverdale, MD 20737

Re: Suffrage Point (Werrlein WSSC, LLC)

Hyattsville, PG County, Maryland

NTW Application Number: 21-NT-0448/202161394

AI Number: 172012

#### To whom it may concern:

Werrlein WSSC, LLC has submitted an application to Maryland Department of the Environment's Nontidal Wetlands & Waterways Division of the Water Management Administration (WMA) for a permit to authorize the development of the above referenced property to construct a residential development along with the associated installation of utilities and roadways to serve it. The project site is located on the northside of Gallatin Street and the westside of 40th Place in Hyattsville, Prince George's County, Maryland. The proposed work consists of clearing, grading, and filling, as well as the installation of sewer, storm drain, water and other utilities. The proposed project will permanently impact 498 square feet of nontidal wetlands, and 4,914 square feet of wetland buffers.

Since you are a contiguous property owner or an appropriate local official, you are being notified of the proposed project. Persons wishing to review the plans for this project may contact me at the address listed below. If you have any questions concerning the application, please call me at 301-627-7505, extension 904.

Sincerely,

Jacob M McCarthy Environmental Technician

CC: Karl Granzow (Werrlein WSSC LLC) Sean Bruce (S.F.B Development)



#### CERTIFIED MAIL # 7020 2450 0000 9950 6993

Mayor & Council City of Hyattsville 4310 Gallatin Street Hyattsville, MD 20781

Re: Suffrage Point (Werrlein WSSC, LLC)

Hyattsville, PG County, Maryland

NTW Application Number: 21-NT-0448/202161394

AI Number: 172012

#### To whom it may concern:

Werrlein WSSC, LLC has submitted an application to Maryland Department of the Environment's Nontidal Wetlands & Waterways Division of the Water Management Administration (WMA) for a permit to authorize the development of the above referenced property to construct a residential development along with the associated installation of utilities and roadways to serve it. The project site is located on the northside of Gallatin Street and the westside of 40th Place in Hyattsville, Prince George's County, Maryland. The proposed work consists of clearing, grading, and filling, as well as the installation of sewer, storm drain, water and other utilities. The proposed project will permanently impact 498 square feet of nontidal wetlands, and 4,914 square feet of wetland buffers.

Since you are a contiguous property owner or an appropriate local official, you are being notified of the proposed project. Persons wishing to review the plans for this project may contact me at the address listed below. If you have any questions concerning the application, please call me at 301-627-7505, extension 904.

Sincerely,

**Environmental Technician** 

CC: Karl Granzow (Werrlein WSSC LLC) Sean Bruce (S.F.B Development)



Ben Grumbles, Secretary Horacio Tablada, Deputy Secretary

September 9, 2021

Mr. Karl Granzow Werrlein WSSC LLC C/O Mr. Milton McCarthy 522 Defense Highway Annapolis, MD 21401

Re: AI Number: 172012

Nontidal Wetlands and Waterways Application Number: 202161394

Response Due Date: October 25, 2021

Dear Mr. Granzow:

The Maryland Department of the Environment ("MDE" or "the Department") received your Joint Federal/State Application for the Alteration of Any Floodplain, Waterway, Tidal or Nontidal Wetland in Maryland ("Application") on **July 29, 2021.** This letter is to inform you that MDE has determined that your Application is incomplete. Please see the attached for the additional information necessary to complete your Application.

In order to complete your Application, you must submit the additional information requested by the Department by **October 25, 2021.** If the Department does not receive the requested information by the above date or if the information provided is inadequate or insufficient, MDE may administratively close your Application. Should you wish to reapply to the Department for this project, you will be required to submit a new application and, if applicable, application fee.

The Department would like to help you successfully complete the application review process. If you have any questions or if I can assist you in any way, please do not hesitate to contact me by telephone at (443)-386-5226 or by email at **ryan.din@maryland.gov**. Please refer to the above referenced AI Number when corresponding with this office.

Sincerely,

Ryan Din Regulatory & Compliance Engineer Waterway Construction Division

Enclosures: (1) Additional information needed to complete your Application

cc: Mr. Milton McCarthy, Bay Environmental, Inc. Marie King, Compliance Division Anna Hjelmroos, Wetlands

# Werrlein WSSC LLC Nontidal Wetlands and Waterways Application No. 21-NT-0448/202161394 AI. No. 172012

Comment Due Date: October 25, 2021

Please find below additional information needed to complete your Application. More comments may be generated as the review process continues.

- 1) Please explain how the work was started without a Wetlands and Waterways permit?
- 2) Please quantify the 100-year floodplain impacts, both permanent and temporary. Also include the cubic yards of fill and cut.
- 3) The project requires that a public notice be placed in the local newspaper when the application is complete. Please see link below to obtain the Billing Approval Form.
- 4) The project requires that contiguous property owners and local officials must be notified of the project and the certification of notification form be returned to us before your application is considered complete. Please see link below to obtain form.
- 5) The project got a hit for possible archeological resources. The Department forwarded a copy of the application to the Maryland Historical Trust (MHT) for review. We will promptly forward any comments received.
- 6) Please state whether the wetland buffer and wetland impacts are permanent or temporary. Also, please quantify impacts.

 $https://mde.maryland.gov/programs/Water/Wetlands and Waterways/Permits and Applications/Pages/nontidal\_permits.aspx$ 



#### THE PRINCE GEORGE'S COUNTY GOVERNMENT

## Department of Permitting, Inspections and Enforcement Office of the Director



September 27, 2018

Ms. Sharon Freiland, P.E. Dewberry 4601 Forbes Boulevard, Suite 300 Lanham, Maryland 20706

Re: Magruder Pointe, Holladay Co Addition, Proposed Conditions Case No. 45614-2014-01 Flood Case No. 36721-2018, FPS 201827

Dear Ms. Freiland:

Please accept our apology for the delayed response to your letter requesting a waiver for constructing townhouses in the 100-year floodplain.

Staff reviewed your request and offers the following observations:

- 1. The proposed work is located at 6500  $40^{\rm th}$  Avenue in Hyattsville at the intersection of Gallatin Avenue and  $40^{\rm th}$  Street.
- 2. This site contains a defined Northwest Branch. The Northwest Branch is recognized as a County and FEMA designated special flood hazard area.
- 3. The National Flood Insurance Rate Map, Community-Panel Number 24033C0129E, indicates that the site is in the 100-vear flooding area designated as Zone AE.
- 4. Effective Federal Emergency Management Administration (FEMA) Base Flood Elevations (BFE) is 22.9' NAVD88. Proposed FEMA BFE is 22.9' NAVD88. For delineation, 100-year floodplain delineation elevation equals 23.9' NAVD88.
- 5. The revised County BFE is 22.9' NAVD88. This floodplain study (FPS) 201827 will replace the current County floodplain elevations. This FPS 201827 is consistent with the FEMA study in this section. This was performed with more detailed and accurate analysis and latest data available.
- 6. Based on the plans provided by Dewberry, there are no finished floor slab elevations provided. However, these will be required to be shown in the technical plans.

9400 Peppercorn Place, 5<sup>th</sup> Floor, Largo, Maryland 20774 Phone: 301.636.2020 • http://dpie.mypgc.us • FAX: 301.636.2021 Ms. Sharon Freiland, P.E. September 27, 2018
Page 2

The County's Floodplain Ordinance states that in order to develop a property in the County's floodplain, other than as permitted by the Ordinance, the applicant is required to obtain a waiver from the Director of the Department of Permitting, Inspections and Enforcement (DPIE) or the Director's designee. The applicant has requested a floodplain waiver from the Code restrictions of fill and placement of structures in floodplain. As per County Code 32-206, fill is not permitted in the floodplain unless a waiver is granted. This waiver will allow fill in the floodplain that will be placed per County Code 32-207(6). As per County Code 32-205(f), structures are not allowed in floodplain. This waiver will also allow placement of structures in the filled floodplain.

The following information was submitted by the applicant as part of the waiver request:

- 100-year floodplain study with floodplain delineation for the existing and proposed site conditions.
- Fill is proposed in the floodplain area. The compensatory storage exhibit (Appendix B) is provided showing cut and fill areas.
- The existing floodplain volume is 7,597 cubic yards. The proposed floodplain volume is 9,164 cubic yards.
- The justification of waiver conditions for development in floodplain as per Section 32-206 is enclosed.

This waiver is being granted based on the following project specific factors.

- a) This is a redevelopment project. Existing conditions of this site reflect the presence of buildings and parking lots in floodplain. This waiver will allow for the elimination of parking lots out of the 100-year floodplain.
- b) The proposed project will not have any buildings, parking lots, nor roads in the approved 100-year floodplain areas.
- c) The County is requiring 100-year controls, which will result in reduced 100-year flows leaving the site.

Ms. Sharon Freiland, P.E. September 27, 2018
Page 3

- d) The applicant has demonstrated no increase in 100-year flood elevations.
- e) The applicant has demonstrated that access to all proposed structures will be free and clear of 100-year flooding.
- f) The applicant has provided compensatory storage.
- g) The applicant has located all structures ≥ 25' from the 100-year floodplain.

Based on the information submitted and the corresponding summary response to the waiver conditions, the applicant has demonstrated compliance with the waiver requirement. Therefore, the waiver request is hereby approved with the following conditions:

- This approval does not relieve the applicant of responsibility for obtaining any other approvals, license or permits in accordance with Federal, State or local requirements and does not authorize commencement of the proposed project.
- 2. Based on County Code 32-205 (f), no basements are allowed for houses 24-41 as shown on the enclosed sketch.
- 3. Finished floor elevation should be at least two-foot above the base 100-year flood elevation, for each building. Basements are not permitted. The elevation of the lowest floor shall be certified by a registered surveyor or professional engineer on the asbuilt plan or after the lowest floor is in place. All new structures in any subdivision shall be located outside the 1-percent annual chance (100 year) floodplain boundary. All residential structures shall be set back at least 25 feet from the 1-percent annual-chance (100-year) floodplain). For every activity in the floodplain, the conditions described below in subsections (g) and (h) below, and Section 32-206 of the County Code must be met."
- 4. Per County Code 32-205 (f), "Lowest floor and setback requirements: Any new or substantially improved residential or non-residential structures including manufactured homes, shall be located outside the floodplain and have the lowest floor and the surrounding ground elevated, by fill, to or above the flood protection elevation.

Ms. Sharon Freiland, P.E. September 27, 2018
Page 4

- 5. The waiver is based on the condition that the permit drawings will match the computations and exhibits submitted for floodplain study, and enclosed.
- 6. Per County Code 32-205(f), "an as-built survey and an elevation certificate shall be provided by a licensed surveyor for each building prior to issuance of a use and occupancy permit. The certificate shall verify finished floor elevations are constructed at or above the flood protection elevation".
- 7. The floodplain information and requirements table for each proposed building should be shown on grading and building permit plans.
- 8. Floodplain easements will be required within the property limits before technical approval and grading permit issuance.
- 9. Please coordinate with Mike Colgan at the Department of Environment (DoE) to determine if a FEMA CLOMR is required. If required, revised/proposed elevations need to be approved by FEMA before permit issuance.
- 10. Per County Code 32-207a (1) (c), "Constructed with materials and utility equipment resistant to flood damage".
- 11. Per County code 32-206(h), "as a condition of the waiver, the owner of the property being developed shall be required to execute covenants to provide notice of the waiver, the potential for higher insurance premium rates, commensurate with the increased risk (with rates up to \$25 per \$100 of insurance coverage), the flood hazard, and any responsibilities of the owner to maintain flood proofing or stream modification facilities or systems, which covenants shall be recorded among the Land Records of the County".

NOTE: This requirement must be met prior to issuance of grading permits.

12. Per County Code 32-205(f), "all buildings shall be elevated by fill". The Building permit must be reviewed and approved to ensure adequacy of design and conformance with floodplain code.

Ms. Sharon Freiland, P.E. September 27, 2018 Page 5

- 13. Per County Code 32-207 (7)(a), "Where permitted, disturbance or removal of the natural vegetation in the floodplain shall be avoided or minimized.
- 14. Per County Code 32-207 (8) (B), "No electrical distribution panels shall be permitted at an elevation less than three feet above the elevation of 1-percent annual chance (100) year flood".

If you have any questions or need additional information, feel free to contact Ms. Mary Giles, Associate Director of our Site/Road Plan Review Division, at 301-636-2060.

Sincerely,

Haitham A. Hijazi

Director

Enclosures

HAH:SB:dar

cc: Dawit Abraham, P.E., Deputy Director, DPIE

Mary Giles, P.E., Associate Director, S/RPRD, DPIE

Rey de Guzman, P.E., Chief Engineer, S/RPRD, DPIE

Steve Snyder, P.E., District Engineer, S/RPRD, DPIE

Steve Darcey, District Manager, Soil Conservation District

Mike Colgan, Water Resources Engineer, DoE

Salman Babar, CFM, Engineer, S/RPRD, DPIE

Sec. 32-206. Waiver Requirements for Development in Floodplain.

(a) In order to undertake any development in the County floodplain other than as permitted in the preceding Section, the applicant must obtain a waiver from the Director.

(b) The request for waiver shall include:

(1) The information required for a permit for development as set forth in this Division;

(2) A statement explaining the need for the development, any public benefit to be derived, and the actions that will be taken to reduce the threat of any potential flooding, flood damage, or adverse environmental impacts; and

(3) Plans and studies as required by the Department.

(c) Required plans and studies. The Department may require plans and studies to be submitted. All studies shall be subject to approval by the Department. All studies and calculations furnished to satisfy this provision shall become the property of the County and may be used by the County for reviewing other development or for other purposes.

(d) The Director shall grant a waiver only upon determining that:

(1) There is good and sufficient cause;

(2) The granting of the waiver will not result in additional threats to public safety, increased flood elevations or discharges, or other adverse impacts on other public or private property either upstream or downstream;

(3) The granting of the waiver will not result in fraud or victimization of the public;

- (4) The waiver is the minimum necessary, considering the flood hazard, to afford relief to the owner, and public funds shall not be expended to mitigate the results of the waiver;
- (5) The development will not violate other Federal, State or local laws or regulations; and

(6) The waiver does not violate the purpose and intent of this Division.

- (e) Waivers will not be granted for any filling, or the construction or placement of any structures or obstructions which will ultimately be located in the FEMA-designated Floodways, or in the County designated Special Flood Hazard Areas which will increase the water surface elevation of the base flood. Within the floodplain, waivers shall not be granted for any new structures, the lowest floors of which are below flood protection elevations.
- (f) If granted, a waiver shall involve only the least modification necessary to provide relief. If it should become necessary to grant any variance, the applicant shall be required to comply with all applicable requirements of the National Flood Insurance Program regulations (60.3d) including the requirements for elevation, flood proofing and anchoring. The applicant must also comply with any other requirements considered necessary by the Department. Notwithstanding any of the above, however, all structures shall be designed and constructed so as to have the capability of resisting the 100-year flood. Flood proofing is not an option in residential construction. All residential structures must be elevated.
- (g) A record of all waiver actions, including justifications for their issuance, shall be maintained by the Department, shall be included in a bi-annual report submitted to the Federal Insurance Administrator, and shall be available upon request by FEMA or its authorized agent during periodic assessments of the County participation in the National Flood Insurance Program.

(h) As a condition of the waiver, the owner of the property being developed shall be required to execute covenants to provide notice of the waiver, the potential for higher insurance premium rates, the flood hazard, and any responsibilities of the owner to maintain flood proofing

or stream modifica	ation facilities or systems, which covenants shall be recorded among the Land
Records of the Co	unty. Where there will be enclosed areas below the 100-year flood elevation,
	ovide a statement to be recorded in the Land Records of the County which
	sion of this area to habitable space is to occur unless the lowest floor is
	) foot above the 100-year flood elevation. At this site the 100-year flood
elevation is	, 1000 000
(CB-15-2011)	
(CD-13-2011)	