

Virtual Public Informational Hearing - Villas @Severn Crest 19-NT-0093/201960590 (2023-10-30 19:00 GMT-4) - Transcript

Attendees

+1 301-***-**48, +1 410-***-**41, Amanda Sigillito -MDE-, Cheryl Kerr -MDE-, Eliot Powell, Hanifah Parker-Morrison -MDE-, Jeffrey Thompson -MDE-, Ken Wallis, Richard Israel, Torben Agesen, William Seiger -MDE-, William Seiger -MDE-'s Presentation

Transcript

This editable transcript was computer generated and might contain errors. People can also change the text after it was created.

Amanda Sigillito -MDE-: Good evening. I would like to welcome everyone to the Maryland Department of the Environment's public informational hearing for the nontidal wetlands and waterways permit application 19-NT-0093/201960590 submitted by Villas at Severn Crest LLC. My name is Amanda Sigillito and I am the chief of the Nontidal Wetlands Division at the Maryland Department of the Environment (for the remainder of the hearing this evening. I will be referring to the agency either as the department or MDE.)

Amanda Sigillito -MDE-: I will be the presiding official for this evening's public informational hearing. Also in attendance with me from the Department are Jeff Thompson, who is the chief of the central region of the nontidal wetlands division, Cheryl Kerr who is project manager of the central region of the nontidal wetlands division, Bill Seiger, Chief of the Waterway Construction Division and Hanifah Parker-Morrison who's a project manager in the Waterway Construction Division. I would like to thank everyone for taking the time to participate in the public comment process. It is the responsibility of my office to evaluate applications that propose impacts to nontidal wetlands and waterways. The Department's authority is found in subtitles five and nine of the Environment Article.

Amanda Sigillito -MDE-: Each application received through our regulatory program has specific and unique issues and impacts that must be considered in relation to weighing the potential benefits and detriments of the project. The Department is neither a proponent nor opponent of any project. The logistics for this evening's hearing are as follows. I will make a few opening remarks about the purpose of the public informational hearing and briefly list the proposed impacts. I will then call on the applicant or their representative for the applicant's statement regarding their application. After these required presentations, the Department will facilitate public statements by first calling on any elected officials or their representatives to make a statement.

Amanda Sigillito -MDE-: I will then call on those of you who wish to speak. It is not necessary to read a statement to make it part of the official record. Written comments will also be accepted and receive the same consideration as any oral statement. In fact, for accuracy, if you have a letter to read into the record, I suggest you also provide us with a copy of the letter via email or regular mail. We do not permit cross-

examination of the speakers during their presentation, but you may pose questions as part of your statement for our consideration in our permit evaluation. Please note that we will not be responding to questions or comments posed this evening. This venue is for the Department to hear and record your public comments. And again, those public comments will be considered during our evaluation of the application. The public information on hearing is being recorded and the recording will be used to facilitate the final permit decision.

Amanda Sigillito -MDE-: At this time, I would like to acknowledge any elected officials or their representatives who may be here this evening. If you are an elected official or are representing an elected official, please raise your virtual hand to be recognized.

Amanda Sigillito -MDE-: I don't see any hands raised. The Department is conducting this evening's public informational hearing pursuant to Subsection 5-204 of the Environment Article and Code of Maryland Regulations, 26.23.02.02 and 26.17.04.13. The purpose of this public informational hearing is for the applicant to present an analysis of impacts that may be associated with the proposed activity. I would like to emphasize that the purpose of this public information hearing is to consider the application pending before the department and specifically the proposed impacts to those resources the department regulates, specifically nontidal wetlands, the nontidal wetland buffer and waterways, including the 100-year nontidal floodplain.

Amanda Sigillito -MDE-: This public information hearing is for nontidal wetlands and waterways application number 19- NT -0093/201960590 submitted by Villas at Severn Crest LLC. The project involves the construction of an assisted living facility with a combination of a central building and individual townhomes, access roads, parking lots, sidewalks, stormwater management facilities and all attendant infrastructure. The work includes clearing, grading, filling, temporary construction access and dewatering associated with construction of the main access road and culvert installation.

00:05:00

Amanda Sigillito -MDE-: The project proposes to permanently impact 9,611 square feet a forested nontidal wetlands, 9,884 square feet of the 25 non-tidal wetland buffer, 190 linear feet of stream and 18,403 square feet of the 100-year nontidal floodplain. The project will temporarily impact 7,903 square feet of emergent nontidal wetlands, 5,281 square feet of the 25-foot nontidal wetland buffer and 11,892 square feet of the 100-foot nontidal floodplain. The project is on Stoney Run a Use 1. Mitigation will be provided by purchasing mitigation credits at the Peige Wetland Mitigation Bank at a ratio of 2:1 for the permanent impacts to forested nontidal wetlands.

Amanda Sigillito -MDE-: The project is located at the Northern end of Buckingham Nursery Road in the Severn Crest Subdivision in Anne Arundel County. I will now ask the applicant or their representative to provide a presentation of their proposed project. So if you would begin by giving us your name?

Ken Wallis: Yes, my name is Ken Wallis. I'm with Atwell LLC, formerly Bay Environmental Inc. And as Amanda mentioned an application was filed for this project in February 2019. We've been working through the process both with MDE and the Corps of Engineers on this project. Just to give you a little layout of the project itself. and its location Minnetonka Road is off to the south of the property in a book to South Otis Drive is off to the east of the property as you can see on this exhibit rendering

Ken Wallis: Buckingham Nursery Drive is off to the west or Southwest of the property. And that's where we will be gaining access to the property.

Ken Wallis: They cannot get access to the property from Minnetonka Road.

Ken Wallis: The application, like Amanda mentioned, is for impacts to nontidal wetlands, the 25-foot nontidal wetland buffer, 100-year floodplain and stream channels. The majority of the impacts will be I guess just off right now Buckingham Nursery Drive terminates pretty close to the property line there in the southwest Western corner of the site. They'll extend Buckingham Nursery Drive across the wetland area streams and that will be the access point into the project. I think they're proposing five pipes. Along that stream and in that wetland system one in the stream and then another four, I believe, up in the floodplain to allow for flow during flood events.

Ken Wallis: There are two other impacts as well one for retaining wall and one for an outfall which all I'll get to next...

Ken Wallis: but I did want to point out that the assisted living facility. There was a component of this project which was an assisted living facility. The applicant is no longer proposing that component; it is all going to be right now. It's age restricted to adult independent Villas.

Ken Wallis: And let's see, we'll switch to the next screen here and these circles there's three of them here show the impacts and the impact locations on the property. The biggest one is the main one I said is the stream crossing the wetland crossing the one to the southeast of that area just to the bottom right of that is for a retaining wall. They were trying to avoid impact to the wetlands, permanent impacts to the wetlands. So by proposing a retaining wall they will not have permanent wetlands or permanent impacts to the wetlands. They'll all be temporary in that area. So there are some permanent impacts to the 25 foot buffer but no permanent impacts to the wetlands in that location.

00:10:00

Ken Wallis: Also down here further to the southeast. There's an outfall which I can zoom into those areas.

Ken Wallis: Those are the next sheets. You can flip to the next slide. Again this is the road crossing coming in. You can see the existing termination of Buckingham Nursery Drive that will be pushed through and will allow access to the site, in the bottom right hand corner of this slide. It has a temporary impact of 629 square feet. If you can see that, that's the temporary impact to the wetlands. The retaining wall is proposed right next to that to the right.

Ken Wallis: Go to the next slide. And then this is the third impact which is a storm drain outfall. Impact which will have some buffer and there's some floodplain impact as well in this area as well as temporary wetland impact as it's shown. And then we can go to the last slide just the totals of the wetland impacts. Like Amanda said the permanent wetland impact totals 9,611 square feet. Mitigation is going to be done at a 2:1 ratio. That's 19,222 square feet which will be and is proposed in an off-site mitigation bank.

Ken Wallis: I guess the last item is a side note is that the US Army Corps of Engineers is reviewing this application as well and they have issued their permit for this project.

Ken Wallis: Believe that that is all I have at this time.

Amanda Sigillito -MDE-: Thank you very much. Now we will move to taking public comments and we've had a few people join our hearing so normally with the public comments, we start with any elected

officials or their representatives. At the beginning of the hearing, I asked if there were any elected officials or they're representatives who were with us tonight. No one raised a virtual hand, but like I said, we've had a couple of people join so I will ask now are there any elected officials or their representatives here this evening? If there are, please raise your virtual hand.

Amanda Sigillito -MDE-: All right. I don't see any virtual hands raised. So now we will allow anyone...

Amanda Sigillito -MDE-: would like to raise their virtual hand to do so and then we will call on you. When you begin your comments, if you would start by please giving us your name and any interest that you may be representing. Speakers representing a group or organization are allotted five minutes to make their remarks and individuals are allotted three minutes for their remarks.

Amanda Sigillito -MDE-: So if you would like to make a comment this evening, please raise your virtual hand and we will call on you. At least one person joined us by phone. So you can't raise your virtual hand if you're on the phone, but just speak up and let us know you'd like to make a comment.

Amanda Sigillito -MDE-: All I don't see any hands and I'll state again what I did at the beginning of the hearing. It's not necessary to make a comment this evening. Following this hearing you may email in your comments to Ms Cheryl Kerr. Most everyone is attending virtually and you can see the slide but for those on the phone Cheryl Kerr's email is cheryl.kerr@maryland.gov. Or you may send in any comments to Ms. Kerr at MDE, Water and Science Administration, 1800, Washington Boulevard, Suite 430 Baltimore, Maryland 21230.

Amanda Sigillito -MDE-: I still don't see any hands so last call for comments before we move to close the hearing and I explained where we go from here.

Amanda Sigillito -MDE-: All right. I'm not seeing any hands.. So the hearing record will remain open for two weeks or until 5 PM on Monday, November 13 2023. The public comments received during the public comment period will become part of the project file and will be considered by the department when rendering a decision on application number 19-NT- 0093/201960590.

00:15:00

Amanda Sigillito -MDE-: Unless extenuating circumstances justify an extension of time, the Department is obligated to issue, modify or deny the permit within 45 days of the public information hearing which is Thursday, December 14 2023. The Department's decision and accompanying information will be sent to the interested persons list as well as to the applicant. The Department's decision will be a final agency to determination. There will be no further opportunity for administrative review. Any person with standing who is either the applicant or who participated in the public participation process through the submission of written or oral comments may petition for judicial review in the Circuit Court in Anne Arundel County. The petition for judicial review must be filed within 30 days of the publication of a permit decision.

Amanda Sigillito -MDE-: On behalf of the department you're interest in this project and...

Amanda Sigillito -MDE-: attendance at this evening's hearing is appreciated. The hearing is now adjourned.

+1 410-***-**41: people here

Meeting ended after 00:16:36 🙌