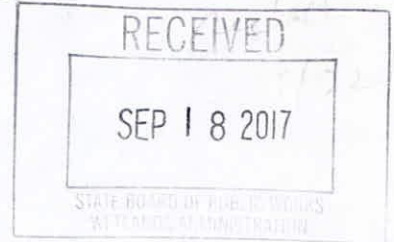


**WATER AND SCIENCE ADMINISTRATION
TIDAL WETLANDS DIVISION**

Wetland Report and Recommendation

State Wetlands Case No:

16-WL-0525



Applicant: Gianmarco Martuscelli
605 Second Street
Chesapeake City, Maryland
21915
410-885-2040

Agent: William Burkhardt
342 Clayton Manor Drive
Middletown, Delaware 19709
302-376-1193

Date Application Received: May 27, 2016 Public Notice Required? Yes

Comment Period Closing Date: April 1, 2017

Maryland Coordinates: 207097 x 502217

Book Map Coordinates: Cecil Co. ADC Map Num: 18 Ed: 11 Coord: 10 E

Location of Proposed Work: Chesapeake and Delaware Canal at 605 Second St. Chesapeake City, MD 21915

Purpose of Proposed Work: The purpose of this project is to provide additional seating space for an existing marina-restaurant.

Description of Authorized Work: Construct a covered 1,000 square foot non-water dependant platform measuring 90 feet long and up to 15 feet wide, all a maximum of 15 feet channelward of the mean high water.

Requires Water Quality Certification?: Yes, WQC will be issued by MDE.

Qualifies for Maryland State Programmatic General Permit?: No, United States Army Corps of Engineers alternate review and issuance of permit required from the Philadelphia District.

Area of Vegetated Wetland Impacts: 0 s.f.

Area of Wetlands Created: 0 s.f.

Was the Applicant's Original Project Modified?: No, the project was not modified.

Department Comment:

As required by § 5-204 (b) of the Environment Article, the Department drafted and issued a public notice by posting the public notice on its WEB site from March 01, 2017 to April 01, 2017 and publishing the public notice for the proposed project in The Cecil Whig on March 08, 2017. In addition, the public notice was provided to the following adjacent property owners:

Mr. Kenneth Reed 2 Rivers Rd. Chesapeake City, MD 21915	Town of Chesapeake City 108 Bohemia Ave. Chesapeake City, MD 21915
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The Department received a request for a public informational hearing from Ms. Kathan Lynch. A Notice for a hearing was published on April 14, 2017 in The Cecil Whig. The hearing was held on May 2, 2017 at 6:00 PM at the Chesapeake City Town Hall, 605 Second Street, Chesapeake City, Maryland. Of the interested parties that attended the public hearing (names and addresses are on Attachment A), 9 of 14 were against the proposed work being performed on the C&D Canal. Comments voiced at the hearing were the trash pollution entering the water, oil and chemical pollution coming from boats parking at the marina, tree clearing to enlarge the parking lot, and the increase noise and light pollution. It is the Departments opinion that the substance of the concerns and objections relates to the operation and management of the Chesapeake Inn, and the behavior of its customers, and that these issues are beyond the scope of our authority under the Tidal Wetlands Act. Please see Attachment A for the Public Hearing Report and a list of the names and addresses that attended the hearing. For a comprehensive review of the objections and comments presented during the hearing, please see Attachment B.

In accordance with the Department’s interagency application screening procedures, and based upon geospatial information provided by the Department of Natural Resources (DNR), MDE has reviewed the project and determined that no resources would be impacted by the proposed structures, and that further DNR consultation was not required.

The Maryland Historical Trust reviewed that proposed project and determined that there are no historic properties affected by this undertaking.

The evaluation of this project has taken into account ecological, economic, recreational, developmental, and aesthetic considerations appropriate for this proposal as well as other requirements set forth in the Code of Maryland Regulations. To insure that impacts to resources are avoided and minimized to the maximum extent possible and to insure that all work is performed in accordance with critical area and local regulations, the Department has recommended a number of special conditions. Provided all general and special conditions are adhered to, the work proposed will not cause significant deleterious impacts to marsh vegetation, submerged aquatic vegetation, finfish, shellfish, or navigation.

Project Justification: In consideration of the site characteristics and the nature of the proposed work, the Department concludes that the application represents a reasonable exercise of riparian rights.

SPECIAL CONDITIONS:

- A. The Maryland Department of the Environment has determined that the proposed activities comply with, and will be conducted in a manner consistent with the State’s Coastal Zone Management Program, as required by Section 307 of the Federal Coastal Zone Management Act of 1972, as amended.
- B. The Licensee shall comply with all Critical Area requirements and obtain all necessary authorizations from local jurisdiction. This License does not constitute authorization for disturbance in the 100-foot Critical Area Buffer. “Disturbance” in the Buffer means clearing, grading, construction activities, or removal of any size of tree or vegetation. Any anticipated Buffer disturbance requires prior written approval, before commencement of land disturbing activity, from local jurisdiction in the form of a Buffer Management Plan.
- C. If the authorized work is not performed by the property owner, all work performed under this Tidal Wetlands License shall be conducted by a marine contractor licensed by the Marine Contractors Licensing Board (MCLB) in accordance with Title 17 of the Environment Article of Annotated Code of

Maryland. A list of licensed marine contractors may be obtained by contacting the MCLB at 410-537-3249, by e-mail at MDE.MCLB@marland.gov or by accessing the Maryland Department of the Environment, Environmental Boards webpage.

D. If the Board would like to recommend other measures to address the concerns by the interest parties (i.e. trash pollution, increase boat pollution, or upland parking), that are in Tidal waters, Maryland department of the Environment will take those into consideration.

DEPARTMENT OF THE ENVIRONMENT APPROVAL:

Matthew Parsons
Matthew Parsons, Natural Resource Planner
Tidal Wetlands Division

9/08/17
DATE

Andrew J. May
Andrew J. May, Division Chief
Tidal Wetlands Division

9/8/17
DATE

D. Lee Currey
D. Lee Currey, Director
Water and Science Administration

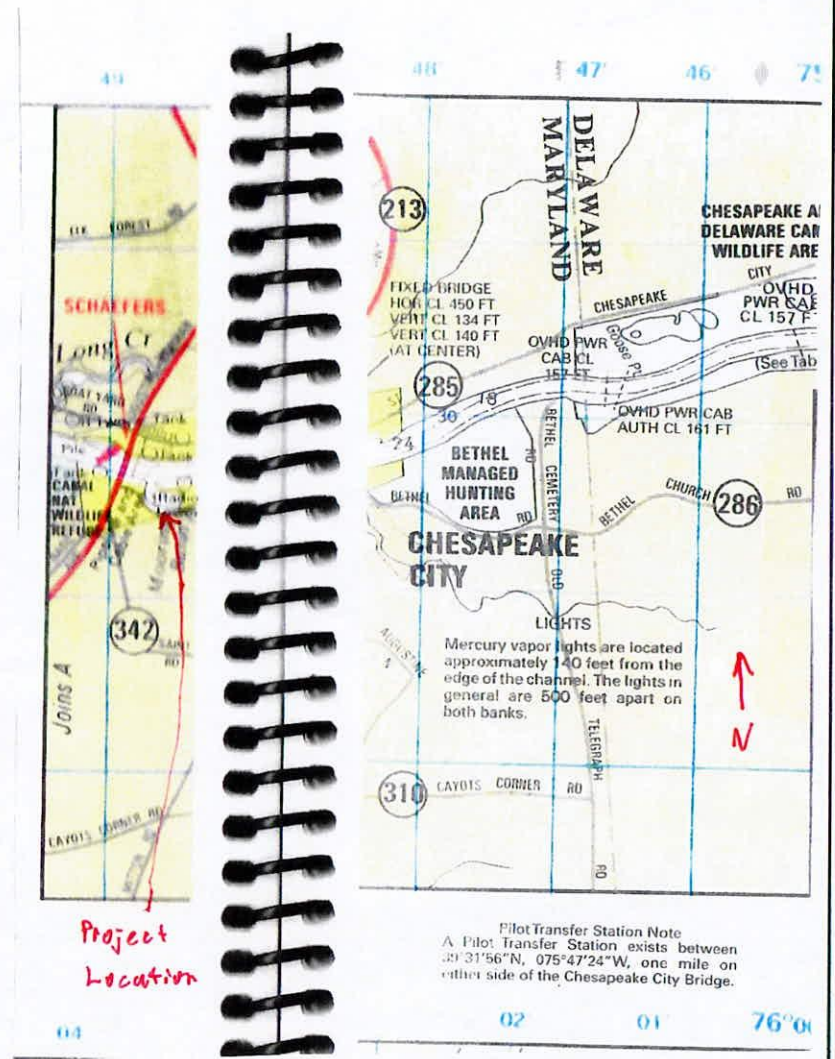
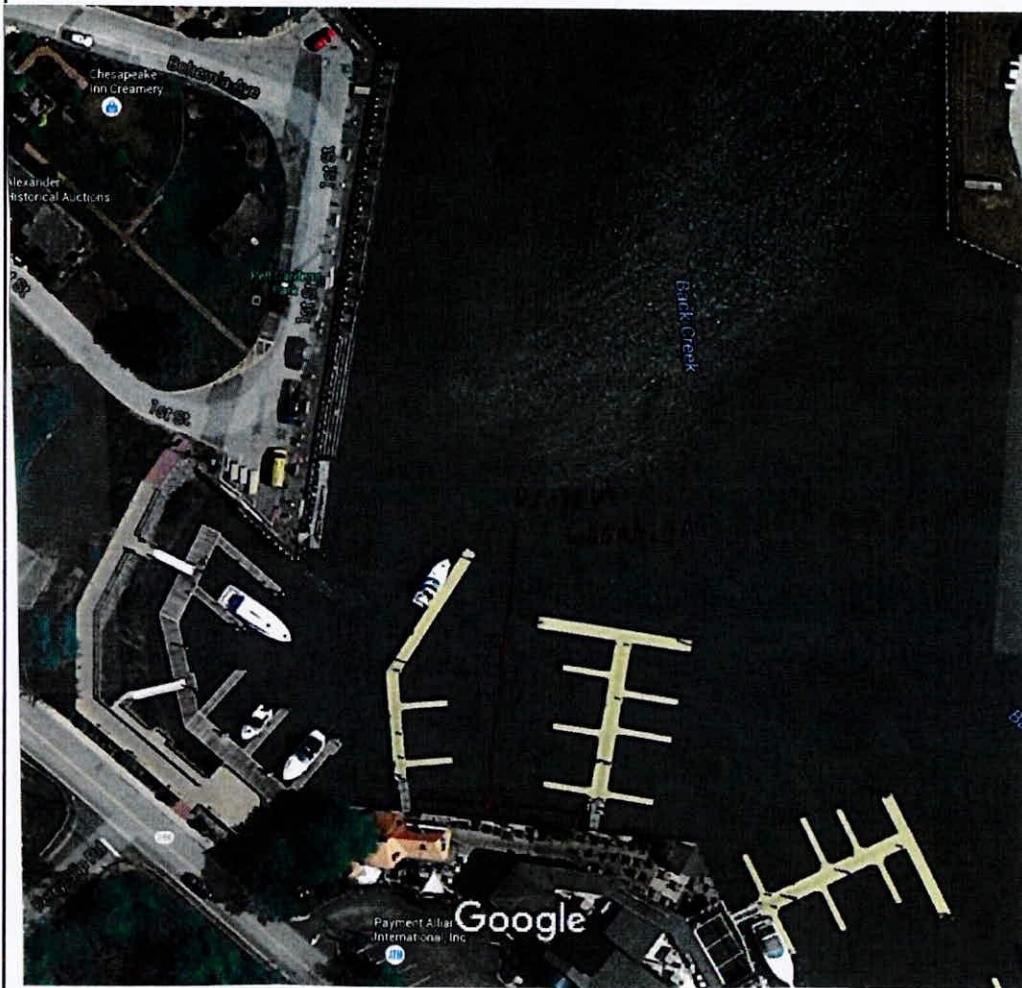
9/13/17
DATE

WETLANDS ADMINISTRATION CONCURRENCE:

William Morgante
William Morgante, Wetlands Administrator
Board of Public Works

11/13/17
DATE

↑
on hold
12/5/17



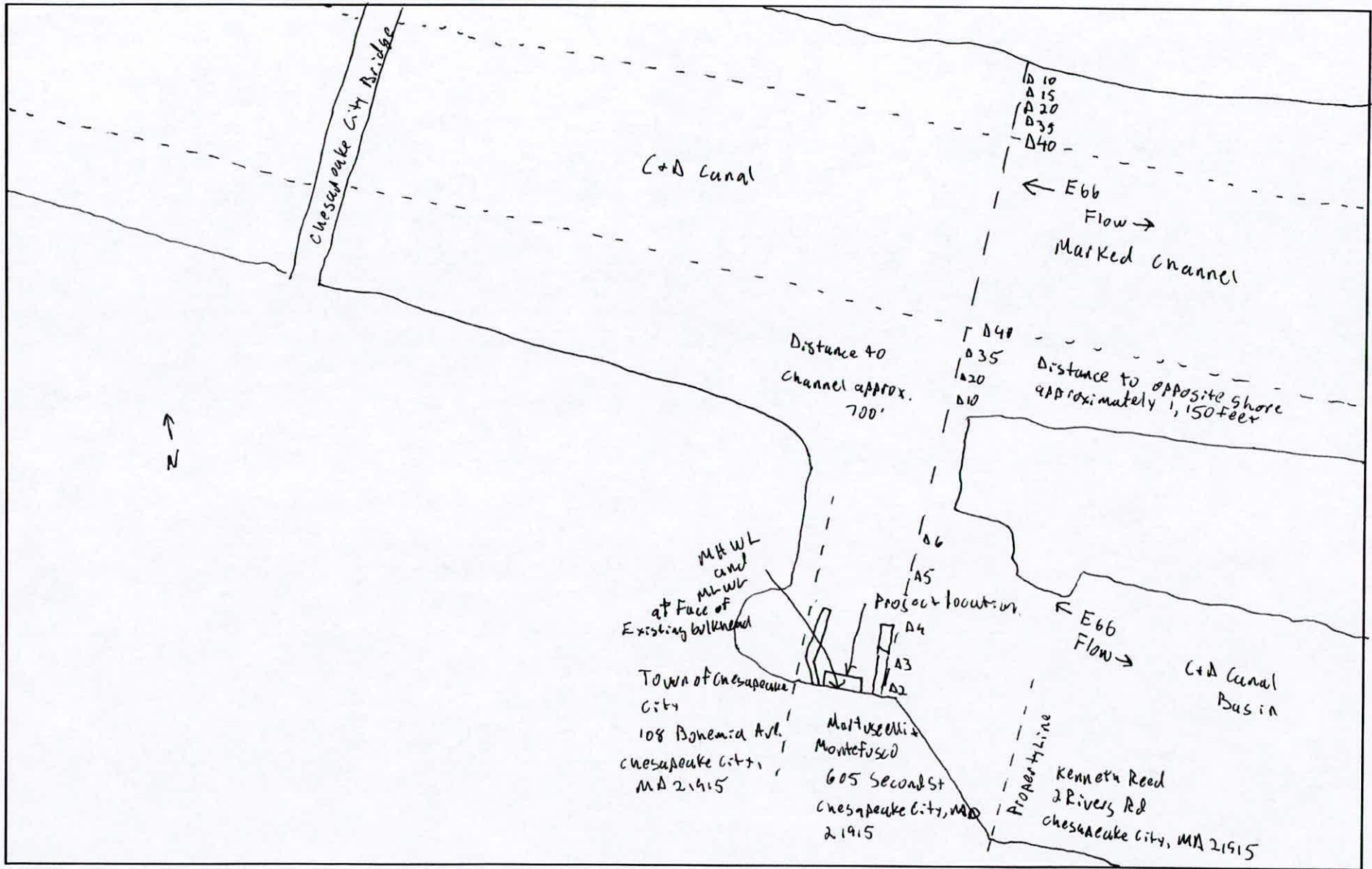
Project Location

16-WL-0525

145443
5/3/16
1 of 7



Vicinity Map and Aerial Photo
 Project: Construct a 1,000 Square Foot Deck
 Proposed Project for:
 Martuscelli & Montefusco Inc.
 605 Second St.
 Chesapeake City, MD 21915



Project Vicinity Conditions

Construct 1,000 square foot deck

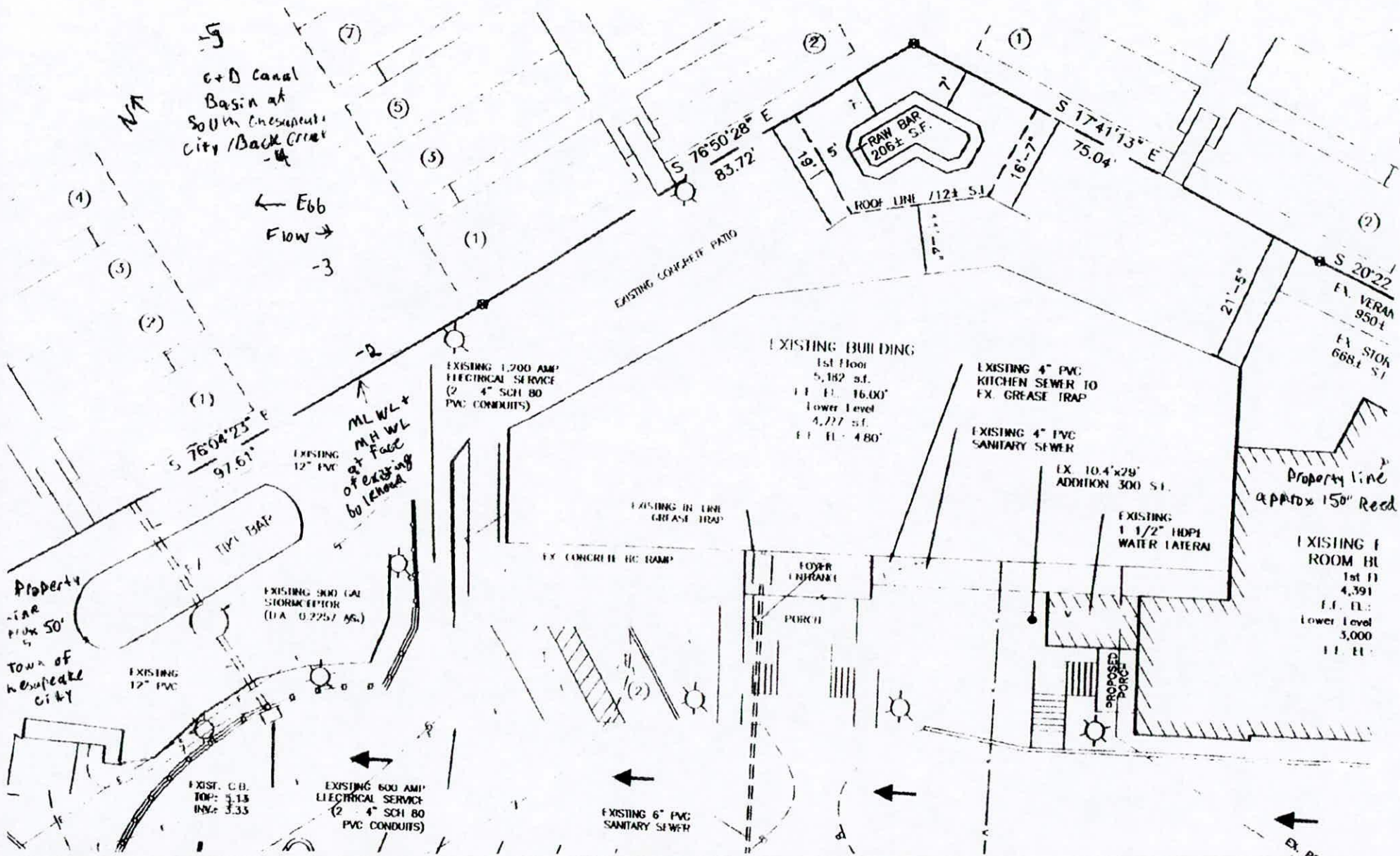
Proposed Project for:
 Martuscelli & Montefusco Inc.
 605 Second St.
 Chesapeake City, MD 21915



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Existing Conditions

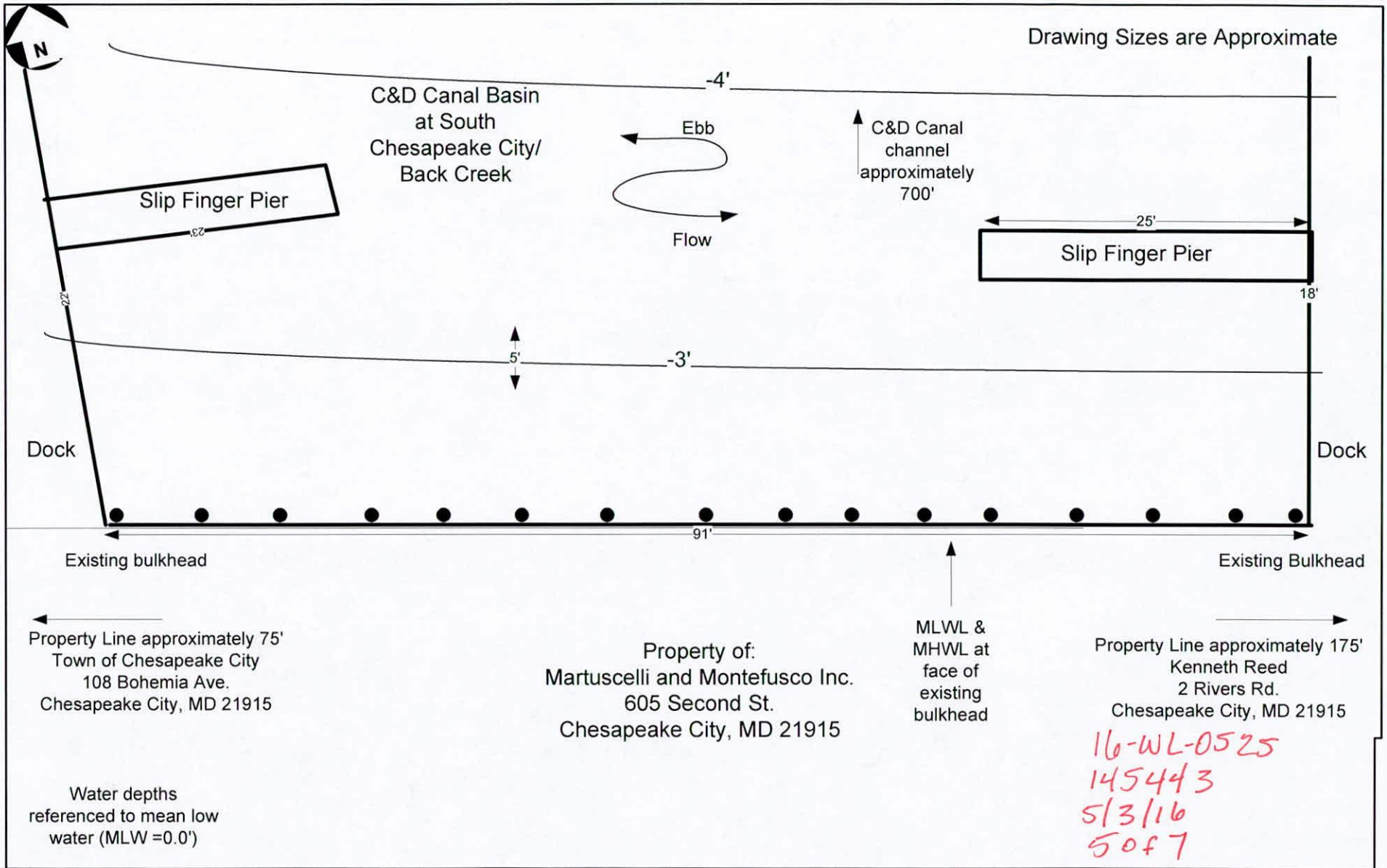
Construct 1,000 square foot deck

Proposed Project for:
 Martuscelli & Montefusco Inc.
 605 Second St.
 Chesapeake City, MD 21915



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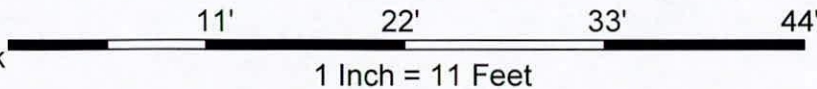




Existing Conditions

Project: Construct 1,000 Sq Ft deck

Proposed Project for:
Martuscelli & Montefusco Inc.
605 Second St.
Chesapeake City, MD 21915

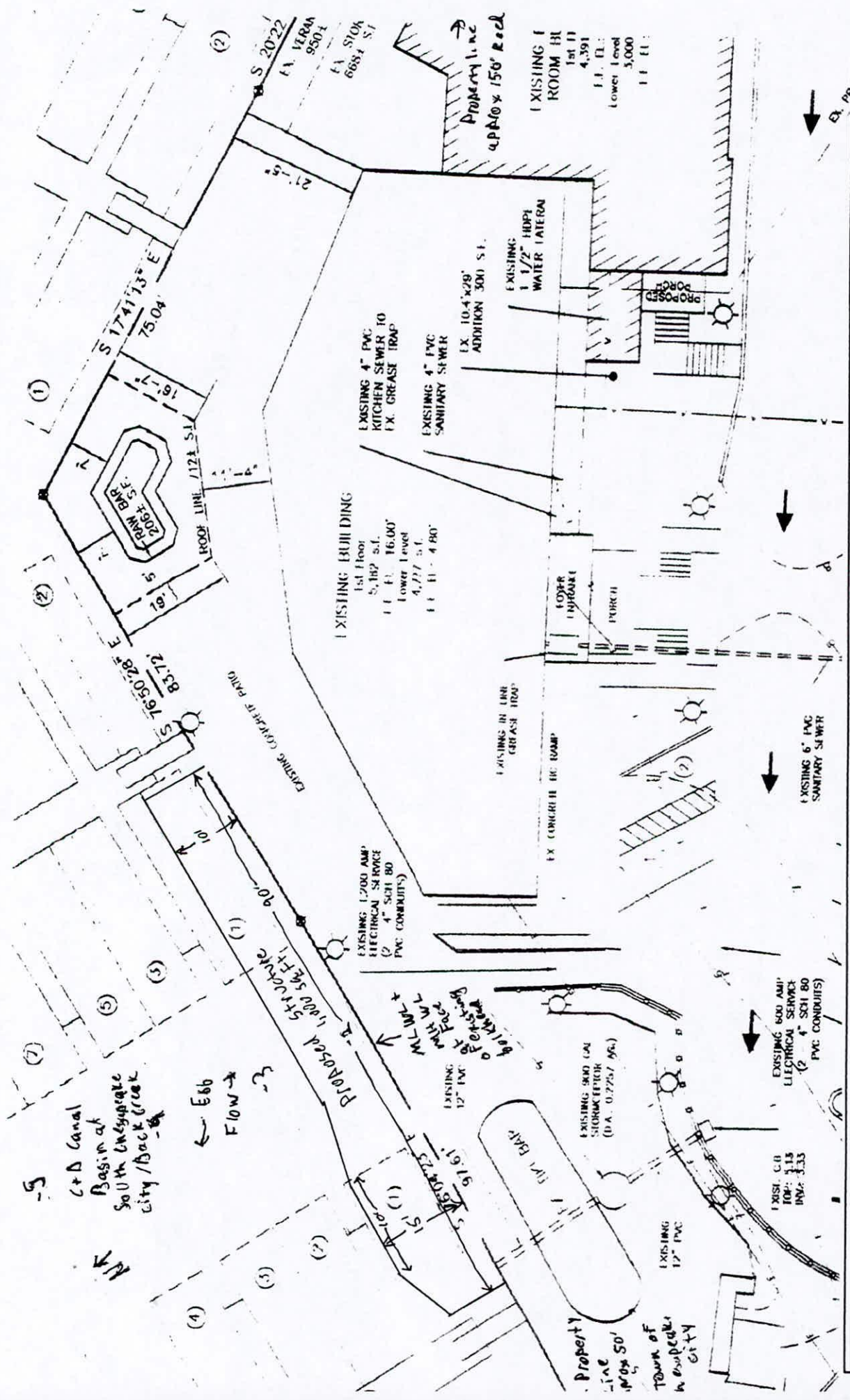


Legend: Existing Structure

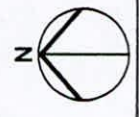
Project Notes: New deck to be attached to existing bulkhead

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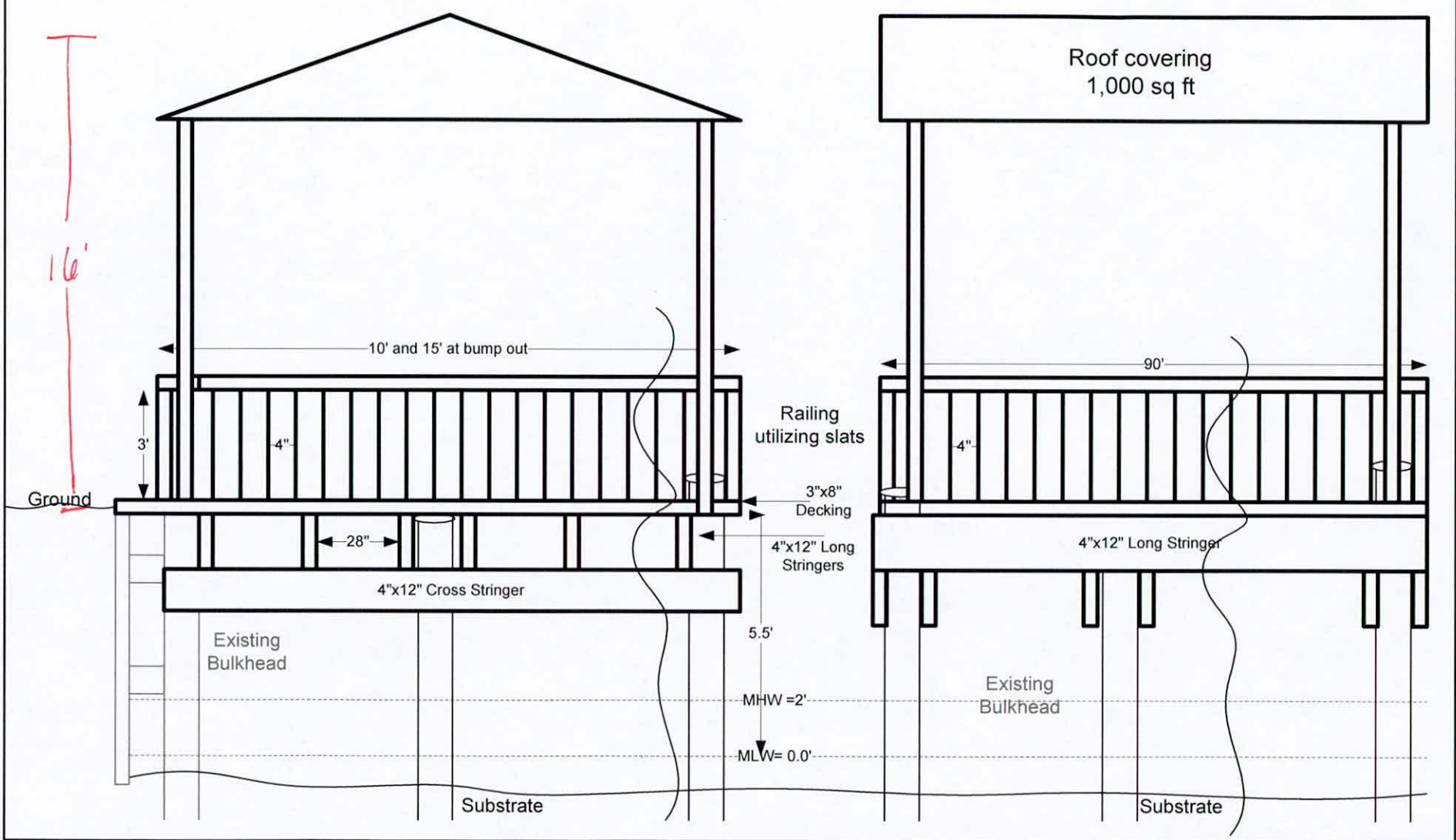


Proposed Conditions
 Construct 1,000 square foot deck
 Proposed Project for:
 Martuscelli & Montefusco Inc.
 605 Second St.
 Chesapeake City, MD 21915

Side View

Front View

Drawing Sizes are Approximate



Cross Section Plan Sheet

Project: Construct a 1,000 Square Foot Deck

Proposed Project for:
 Martuscelli & Montefusco Inc.
 605 Second St.
 Chesapeake City, MD 21915

Legend:

- Existing Structure
- Proposed Structure

16-WL-0525
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Project Notes:

5/4/2016