

121 Quiet Waters Place
Annapolis, MD 21403
marylizmulv@yahoo.com

February 10, 2015

Maria Broadbent
Director, Department of Neighborhood and Environmental Programs
160 Duke of Gloucester Street
Annapolis, MD 21401

Dear Ms. Broadbent,

As a resident of Annapolis, I am concerned about the current status of the Reserve at Quiet Waters proposed project. I, along with other concerned residents who live adjacent to the proposed project, have not yet had an opportunity to have meaningful public participation regarding the proposed project's compliance with the Forest Conservation Act (FCA).

The Board of Appeals indicated that FCA issues would not be considered before that body when the proposed project was initially before the board on September 19, 2012. Instead, they indicated that the appropriate forum for addressing compliance with the FCA was before the Building Board of Appeals (BBOA). The BBOA, in turn, failed to take any comments into consideration regarding substantive issues with the Forest Conservation Plan during their hearing on January 22, 2013. Specifically, The BBOA issued an opinion and order on April 3, 2013 holding that the document issued by Frank Biba from DNEP on April 11 or 12, 2012 was a "recommendation" that the Forest Conservation plan be approved, not a final approval, and thus was "not a final appealable decision." The BBOA further held that the final approval of the Forest Conservation Plan "will be (note the use of the future tense) concurrent with the final subdivision approval or the issuance of the grading or sediment control permit by the City." See attached opinion, page 2.

Therefore, no final decision regarding the proposed project's compliance with the FCA has taken place to date, and thus there has been no opportunity for the City (DNEP, Board of Appeals or the BBOA) to potentially incorporate public comments into the FCP.

I have concerns about forest and wetland protection at the proposed Reserve at Quiet Waters development, and those concerns must be heard in a meaningful public participation process.

I do not agree with the BBOA that citizens should be required to wait until there is a final subdivision approval or a grading or sediment control permit is issued to have meaningful input on, and, if necessary, challenge, a Forest Conservation Plan. It is in the interest of the City, the developer, and the citizens that any legal issues and other concerns be identified and addressed as early in the project review process as possible.

Nonetheless, I will raise my concerns as soon as the City is prepared to hear them. To that end, I request that you please let me and the interested parties who filed appeals with the BBOA (Rev. Harold and Donna Truax, Toni Thalenberg, and the Hunt Meadows Homeowners Association) know when and in what form we can participate in this public process.

Also, I would like to be added to an interested party list regarding the Reserve at Quiet Waters. In order for me to exercise my right to participate in the process, I will require notice from the City of any actions or approvals that trigger the opportunity for public participation. I do not have consistent access to a computer, so I request all notices be sent via email and U.S. mail to my address listed above.

Thank you,



Mary Mulvihill

Enclosure

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