

MARYLAND DEPARTMENT OF THE ENVIRONMENT
1800 Washington Boulevard • Baltimore MD 21230
MDE 410-537-3000 • 1-800-633-6101

Martin O'Malley
Governor

Robert M. Summers, Ph.D.
Acting Secretary

Anthony G. Brown
Lieutenant Governor

February 11, 2011

Re: Notice of Permit Decision
Nontidal Wetlands and Waterways Permit Application
Tracking Number **08-NT-3174/200861949**


Dear Property Owner, Public Official, or Interested Person:

After examination and consideration of the documents received and evidence in the application file and record for Millie's Delight, LLC as submitted by the applicant, C. Wayne Smith, the Water Management Administration has determined that the application meets the statutory and regulatory criteria necessary for issuance of a Wetlands and Waterway Permit. Copies of the permit and the Summary of the Basis for Decision are enclosed with this permit decision.

This is a final agency determination; there is 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 the County where the permitted activity is to occur. The petition for judicial review must be filed within 30 days of the publication of the permit decision. Please see the attached Fact Sheet for additional information about the judicial review process.

If you have any questions or need any additional information, please do not hesitate to contact me at 410-537-3766.

Sincerely,


Amanda L. Sigillito, Chief
Wetlands and Waterways Program

/AS

Enclosures

STATE OF MARYLAND
DEPARTMENT OF THE ENVIRONMENT
WATER MANAGEMENT ADMINISTRATION
NONTIDAL WETLANDS AND WATERWAYS PERMIT

PERMIT NUMBER: 200861949/08-NT-3174

EFFECTIVE DATE: February 4, 2011

EXPIRATION DATE: February 3, 2014

PERMITTEE: Millie's Delight, LLC
2187 Greenleaf Drive
Frederick, Maryland 21702
Attention: C. Wayne Smith



IN ACCORDANCE WITH ENVIRONMENT ARTICLE §5-503(a) AND §5-906(b), ANNOTATED CODE OF MARYLAND (2007 REPLACEMENT VOLUME), COMAR 26.17.04 AND 26.23.01, AND 26.08.02 AND THE ATTACHED CONDITIONS, Millie's Delight, LLC ("PERMITTEE"), IS HEREBY AUTHORIZED BY THE WATER MANAGEMENT ADMINISTRATION ("ADMINISTRATION") TO CONDUCT A REGULATED ACTIVITY IN A NONTIDAL WETLAND, BUFFER, OR EXPANDED BUFFER, AND/OR TO CHANGE THE COURSE, CURRENT OR CROSS-SECTION OF WATERS OF THE STATE, IN ACCORDANCE WITH THE ATTACHED PLANS APPROVED BY THE ADMINISTRATION ON September 28, 2010 ("APPROVED PLAN") AND PREPARED BY Fox & Associates, Inc. AND INCORPORATED HEREIN, AS DESCRIBED BELOW:

The proposed work includes construction of a 59 lot single family residential subdivision, which includes two stream crossings to install a 15 inch sewer and a 16 inch water underground utility line, placement of fill in the 100-year floodplain to construct two stormwater management facilities and fill in Carroll Creek to construct two stormwater management outfalls. The proposed work will permanently impact 140,139 sq-ft, temporarily impact 90,676 sq-ft and add 6,794 cu-yd of fill in the 100-year floodplain and will permanently impact 30 lf and 200 sq-feet of perennial stream. The project is located at the intersection of Rocky Springs Road and Kemp Lane, Frederick, Maryland, 21702 in Frederick County.

MD Grid Coordinates: N197,587/E360,923



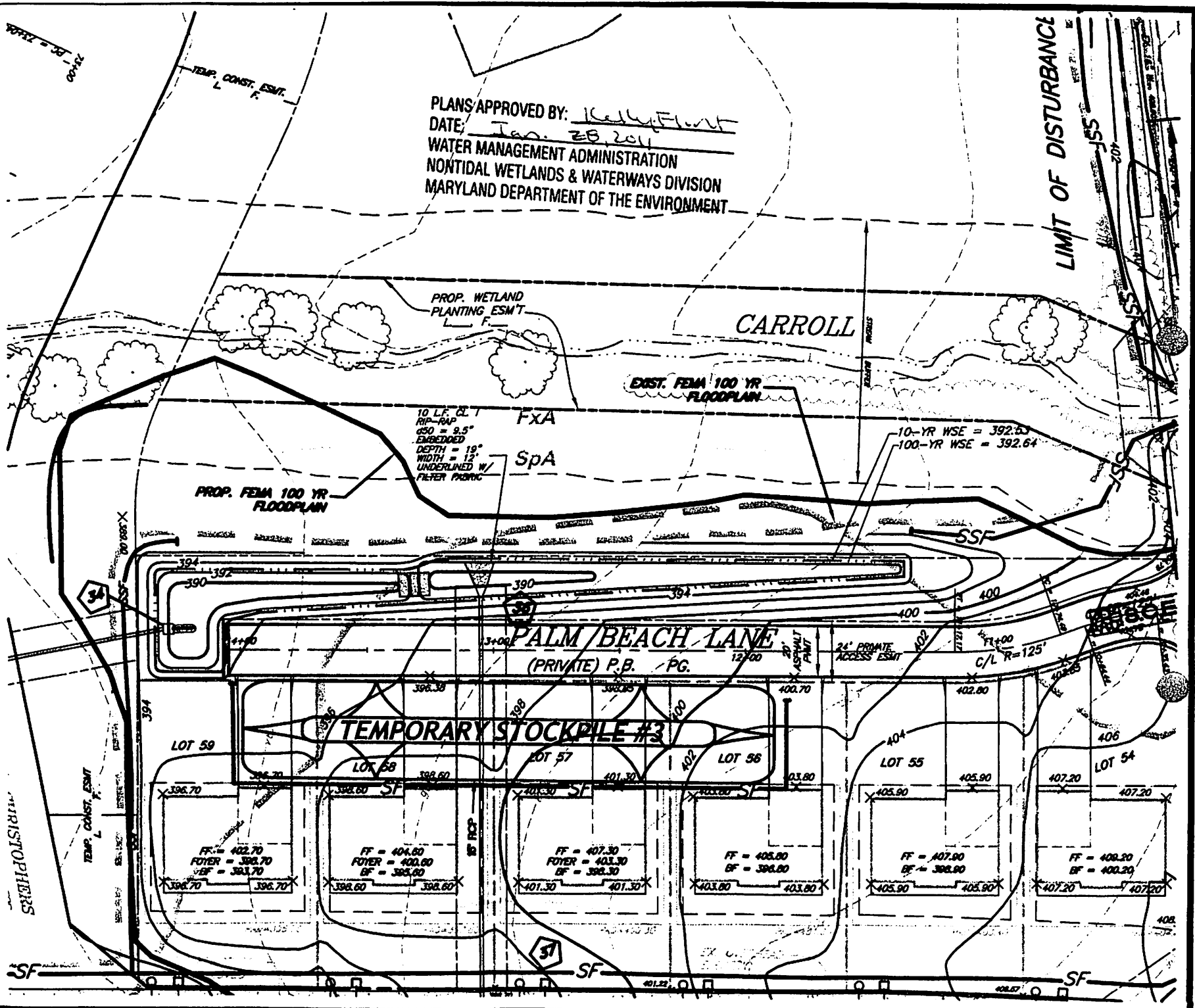
William Seiger, Chief
Waterway Construction Division

Attachments: Conditions of Permit
MDSPGP-3 Category 1c & 1e(8)

cc: WMA Compliance Division Frederick County w/file
Dave Walbeck, MDE

PLANS APPROVED BY: Kelly Flint
 DATE: Jan. 28, 2011
 WATER MANAGEMENT ADMINISTRATION
 NONTIDAL WETLANDS & WATERWAYS DIVISION
 MARYLAND DEPARTMENT OF THE ENVIRONMENT

LIMIT OF DISTURBANCE



DRAWN BY: JHC DATE: 1/6/10
 CHECKED BY: _____ DATE: _____
 SCALE: 1"=50'

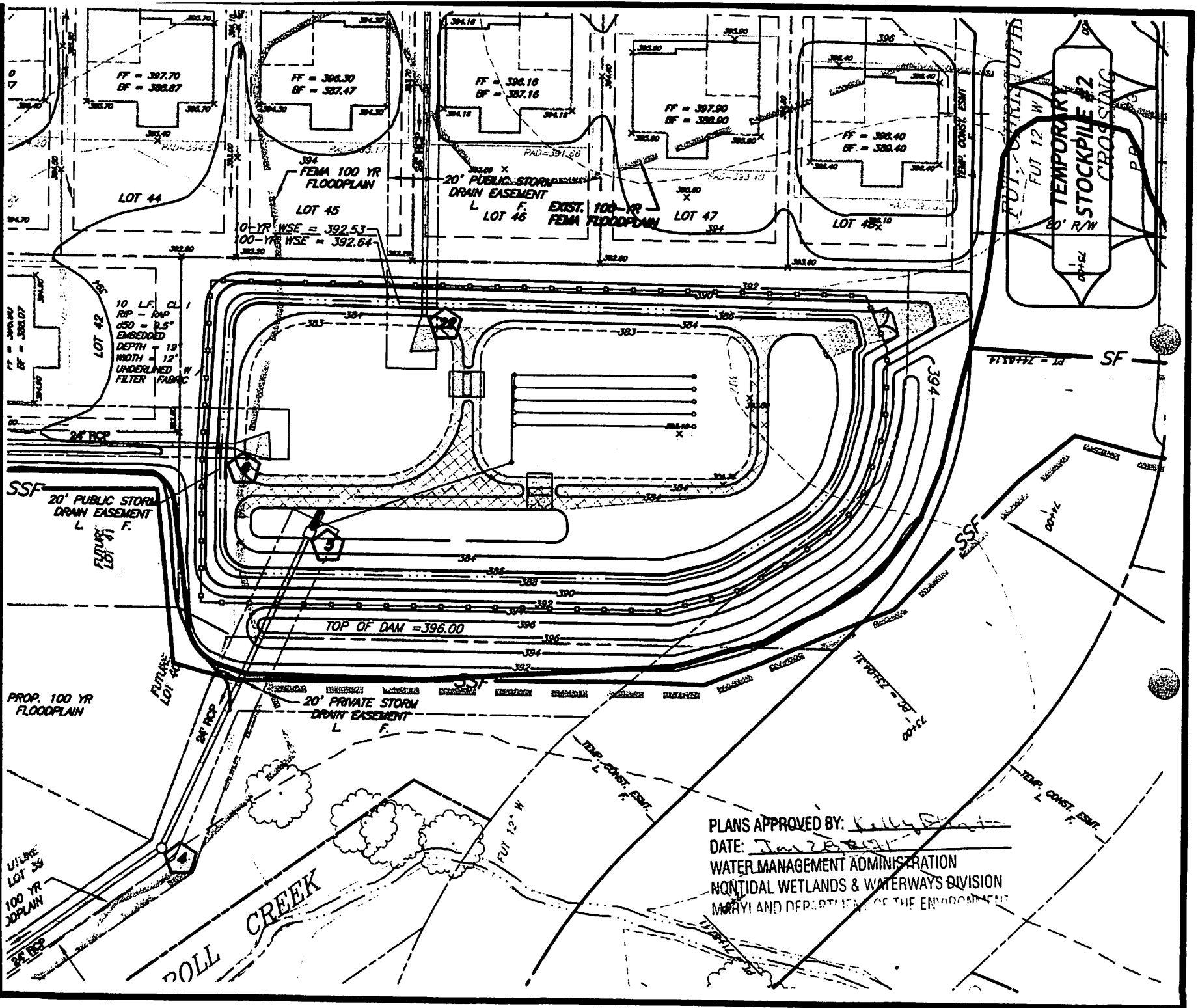
FOX & ASSOCIATES, INC.
 ENGINEERS • SURVEYORS • PLANNERS
 82 WORMANS MILL COURT SUITE C
 FREDERICK, MARYLAND 21701
 PHONE: (301)695-0880 FAX: (301)293-8009
 email: foxfr@foxandassociatesinc.com
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DISTRICT _____
 TAX MAP No. _____
 DWG. No. _____

DRAWN BY: JHC
 CHECKED BY: DATE: 1/6/10
 SCALE: 1"=50'

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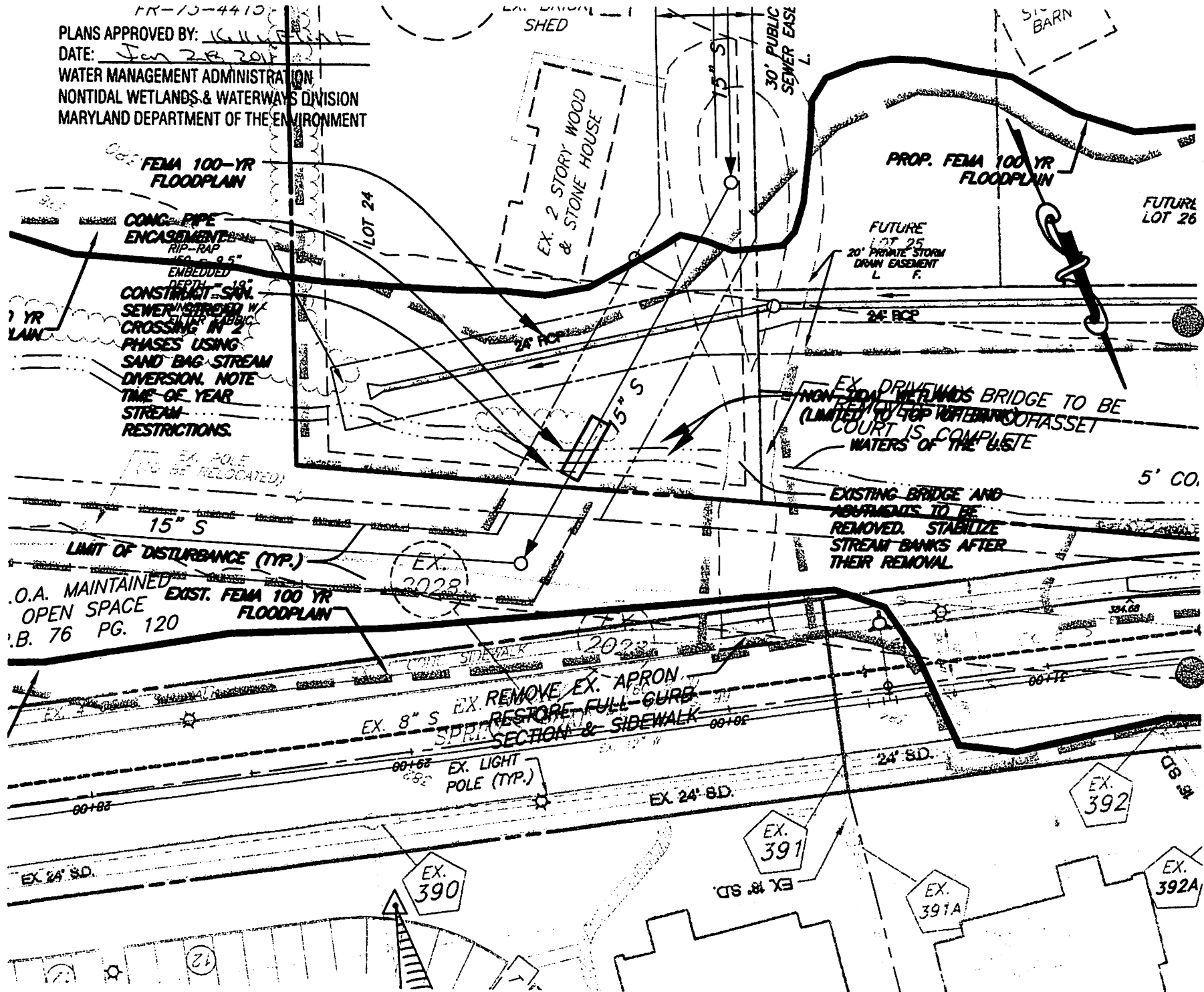
DISTRICT _____
 TAX MAP No. _____
 DWG. No. _____



PLANS APPROVED BY: *Kelly St...*
 DATE: *Jan 28, 2010*
 WATER MANAGEMENT ADMINISTRATION
 NON-TIDAL WETLANDS & WATERWAYS DIVISION
 MARYLAND DEPARTMENT OF THE ENVIRONMENT

PK-13-4413

PLANS APPROVED BY: *[Signature]*
DATE: *Jan 28 2017*
WATER MANAGEMENT ADMINISTRATION
NONTIDAL WETLANDS & WATERWAYS DIVISION
MARYLAND DEPARTMENT OF THE ENVIRONMENT



DRAWN BY: JHC
CHECKED BY: DATE: 1/6/10

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