

QC 290-99
SUB

Gerber, John
A-131

MSA-S-1829-504

mf



THE BOARD OF APPEALS
OF QUEEN ANNE'S COUNTY

107 N. LIBERTY STREET
CENTREVILLE, MARYLAND 21617

290-99
410-758-1255 PLANNING
410-758-2905 FAX

January 17, 2001

Ms. Lee Anne Chandler
Chesapeake Bay Critical Area Commission
1804 West St., Suite 100
Annapolis, MD 21401

**RE: BOARD OF APPEALS CASE NO. A-010005
JOHN E. GERBER APPEALING APPROVAL OF HOMEPORT
SUBDIVISION**

Dear Lee Anne:

The above subdivision was approved by this office and has been back and forth in court.

For your information I am enclosing a packet I sent to Susan McVonville on 5/25/99 in connection with a previous appeal on the same project.

*also planning
Commission
minutes.*

If you have any questions, please call.

Sincerely,

Cathy Maxwell
Clerk

Enc.

RECEIVED

JAN 18 2001

CHESAPEAKE BAY
CRITICAL AREA COMMISSION

**IN THE MATTER OF
THE APPLICATION OF**

**BOARD OF APPEALS OF
QUEEN ANNE'S COUNTY**

John E. Gerber, III, Appellant

216 Pear Tree Farm Lane

Queenstown, Maryland 21658

CASE NUMBER: A-010005

Please check one:
Property Owner _____ Contract Purchaser _____ Lessee _____

Applicant's Phone No.:

H: _____ W: (410)822-1122 Name, Address and Phone No. of Applicant

TO THE BOARD OF APPEALS OF QUEEN ANNE'S COUNTY:

1. Application is hereby made for: (Check one)

- Appeal from the County Zoning Administration (Planning Commission approval of subdivision dated December 14, 2000)
- Variance
- Conditional Use

2. Description of Property:

- a) Election District Fifth Sectional Zoning Map 58
- b) Name of Subdivision Homeport on Winchester Creek
- c) Parcel No. 497,616,11 & 807 Block No. 10/16 Lot No. _____
- d) Abutting or binding roads Hissey Road
- e) Acres or Size of Property 56.60
- f) Improved or Unimproved Unimproved
- g) Zoning District E* Critical Areas District RCA & LDA
- h) 911 Address Unknown to Appellant

RECEIVED

JAN 18 2001

CHESAPEAKE BAY
CRITICAL AREA COMMISSION

RECEIVED

JAN 12 2000

QUEEN ANNE'S CO.
PLANNING & ZONING

3. Relief requested.

Please state with specificity the relief which you request and the facts upon which you base this request:

Appeal of final subdivision approval of "Homeport on Winchester Creek" (Winchester Creek Limited Partnership) Case No. 05-98-042-C. Appellant appeals from the findings and decision of the Planning Commission granting final plat approval based upon erroneous findings of fact and errors of law and because of procedural irregularities on remand.

4. State the name, address and Phone No. of the record owner of the property involved. If Applicant is not the record owner, also state your status with regard to the property.

Winchester Creek Limited Partnership is record owner. Applicant is neighboring property owner.

Owner's Phone No.: H: unknown W: unknown

5. Names and addresses of persons to be summoned as witness or notified of hearing (please circle one): To be supplied, if necessary, prior to hearing.

6. Previous Applications. If this property has previously been the subject of a prior application, state the name, date, the number of the application and the results thereof.

Previous Case A-131

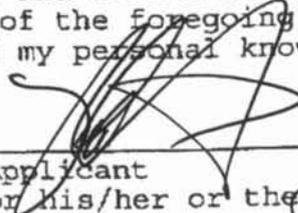
7. a) Documents required for submission. Please attach hereto the following documents: **FAILURE TO ATTACH ANY REQUIRED DOCUMENT WILL SUSPEND THE APPLICATION PROCESS UNTIL SUBMISSION. DOCUMENTS MAY NOT BE ALTERED OR AMENDED AT THE TIME OF THE HEARING WITHOUT APPROVAL OF THE BOARD.**

- X 1. Eight copies of this Application, including "Affidavit As To Owners of Adjoining Property" (attached).
- X 2. One copy of the most recent deed to property.
- N/A 3. If Applicant is Lessee, one copy of Lease Agreement between Lessee and Lessor.
- X 4. One copy of the sectional zoning map.
- X 5. One copy of tax map if parcel is not identified on sectional zoning map.

- X 6. One copy of correspondence from the Department of Planning and Zoning.
- N/A 7. One copy of Notification of Project Application form (attached) if property is located within the Critical Area.
- N/A 8. One copy of correspondence from the Critical Area Commission, if applicable.
- N/A 9. One copy of correspondence from the Queen Anne's County Health Department, if applicable.
- N/A 10. One copy of correspondence from Queen Anne's County Sanitary District, if applicable.
- N/A 11. One copy of soil conservation permit, if applicable.
- N/A 12. One copy of building or use permit, if applicable.
- N/A 13. Eight copies of site plan, concept plan or sketch plan required by Section 18-1-207 and 18-1-229 of the Queen Anne's County Code, Title 18.
- N/A 14. One copy of Army Corps of Engineers and Dept. of Natural Resources permits, if applicable. (these permits shall be required to be obtained and introduced for the record for all applications involving structures in navigable waters and requiring Army Corps of Engineers and Dept. of Natural Resources permits).
- N/A 15. Any other documents necessary for project approval pursuant to Section 18-1-132 of the Queen Anne's County Code, Title 18.
- N/A 16. Any other documents necessary for project approval pursuant to Section 14-161 of the Queen Anne's County Code, Title 14.

I CERTIFY, that a copy of the within Application was filed with the Queen Anne's County Board of Appeals on this 12th day of January, ~~2000~~ 2001

I do solemnly declare and affirm under the penalties of perjury that the contents of the foregoing application are true and correct to the best of my personal knowledge, information and belief.


 Applicant
 or his/her or their Attorney

QUEEN ANNE'S COUNTY PLANNING COMMISSION MINUTES
November 9, 2000

The Queen Anne's County Planning Commission met on Thursday, November 9, 2000, 8:45 a.m. The following members were present: Loring Hawes (acting Chairman), Rodger Weese, Karen Oertel, Mack Pusey, John McQueeney and David Clark.

Also present were Steve Kaii-Ziegler, Planning Director; Faith Elliott-Rossing, Principal Planner; J. Steven Cohoon, Development Review Chief; Sue Ann Hyer-Morgan, Land Use Planner III; Lou Harvey, Administrative Assistant; Lisa Collison, Land Use Planner I; Radhika Sakhamuri, Planner I; Christopher F. Drummond, Esquire; and Sharon H. Brinster, Esquire.

The October Planning Commission minutes were approved with minor syntactical and typographical corrections.

1. Extension Requests

(A) **Grasonville Volunteer Ambulance Department (MASP#05-99-8(C))** - The Planning Commission heard from Mr. J. Steven Cohoon, Development Review Chief, regarding the request for an extension of 90 days for the conditionally approved major site plan. Mr. Cohoon indicated that the applicant needed additional time to address administrative issues with the Queen Anne's County Commissioners.

Upon review and consideration of the request, the following motion was made by Mr. Weese, seconded by Mrs. Oertel, and passed by voice vote:

RESOLVED, that at the request of Grasonville Volunteer Ambulance Department, the conditionally approved major site plan MASP # 05-99-8(C), shall be and is hereby extended through and including the date of the regularly scheduled Planning Commission Meeting on February 8, 2001.

(B) **Evenlite, Inc.,(henceforth Sigtex, Inc.)(MASP # 05-98-06)** - The Planning Commission heard from Mr. J. Steven Cohoon, Development Review Chief, regarding the request of the owners, William and Judith Hegarty for an extension of six months for the approved site plan. Mr. Cohoon indicated that the corporate legal matters which caused delays in the past have been resolved, however, Mr. and Mrs. Hegarty request additional time to consolidate their organization. Mr. William Hegarty informed the Planning Commission that the dust is settling from the lawsuit and they are still interested in constructing the addition. However, consolidation of the organization is necessary prior to construction.

Upon review and further consideration of the request, the following motion was made by Mrs. Oertel, seconded by Mr. Weese and passed by voice vote:



RESOLVED, that at the request of Evenlite, Inc., (Sigtex, Inc.), the approved site plan MASP # 05-98-06, shall be and is hereby extended through and including the date of the regularly scheduled Planning Commission Meeting on May 10, 2001, upon the condition that Mr. Hegarty personally appear to make any additional extension request.

2. Compliance with Title 18-1-106, Homeport on Winchester Creek - QAC#05-98-042(C)- At 9:20 a.m. the Planning Commission recessed into an Executive Session to obtain legal advice from Mr. Christopher F. Drummond, Planning Commission Attorney, regarding procedural matters and the proper interpretation of the Memorandum, Opinion And Order of the Circuit Court for Queen Anne's County. The Planning Commission reconvened at 10:08 a.m.

Chairman Hawes reviewed the history of the project and the litigation subsequent to the Planning Commission's final subdivision approval on April 8, 1999. Chairman Hawes polled the Planning Commission members and all indicated they had received and reviewed the materials forwarded with the agenda which included the Memorandum Opinion and Order of the Circuit Court for Queen Anne's County and excerpts from the "record" which includes the Department of Planning and Zoning file. Mr. Drummond clarified that the "record" referred to in the Circuit Court's Decision was the entire Department of Planning and Zoning file for the Homeport on Winchester Creek Subdivision extant at the time final approval was granted in April, 1999. He said the Planning Commission's review for compliance with Section 18-1-086 of the Queen Anne's County Code may include reference to, and may rely upon any documents in, that "record".

Mrs. Oertel reminded the Planning Commission that it had decided not to admit any new documents or evidence in the "record" at its October, 2000 meeting.

Upon review, substantial discussion and consideration of the record, the following motion was made by Mrs. Oertel, seconded by Mr. Weese and passed by voice vote:

RESOLVED, that the request by Winchester Creek L.P. (Homeport on Winchester Creek) for final subdivision approval for 15 cluster lots and 3 open space lots with proposed public roads, on 56.6 acres of land, owned by the applicant, on Hissey Road, in Grasonville, and as more fully described in Planning Department file QAC#05-98-042-C, be and is hereby granted and,

BE IT FURTHER RESOLVED, that the Planning Commission has considered the recommendations, opinions and comments of the Maryland Department of Natural Resources (DNR) as set forth in a letter dated January 7, 1997 from the DNR to Mr. Mareen Waterman which identifies the property as a Delmarva Fox Squirrel Habitat (DFS Habitat), and

BE IT FURTHER RESOLVED, that the Planning Commission finds as a matter of fact that the subdivision as proposed limits disturbance to DFS Habitat to the minimum extent necessary to allow for practical development of the site based on the following;

(a) the subdivision plat largely adopts the recommendations of the DNR letter of January 7, 1997 and a letter dated February 5, 1999 from DNR to Mr. John Wolfin, Field Supervisor, U.S. Fish & Wildlife Service, concerning a proposed Habitat Conservation Plan for the site; the Planning Commission particularly notes that DNR expresses the opinion that minimization and mitigation activities on site proposed by the applicant exceed what is necessary to conserve DFS Habitat,

(b) the project's density has been reduced from an original proposal of 19 lots and the design of disturbed areas has been altered due to the identification of the DFS Habitat,

(c) the Critical Area buffer has been expanded and the wildlife corridor has been maintained,

(d) roads have been located so as not to disturb woodlands and the standard 70 foot right-of-way for public roads has been reduced to a 50 foot right-of-way further limiting disturbance to the DFS Habitat,

(e) although the zoning permits 27 dwelling units, the density is limited to 15 cluster lots and a building pad on the open space lot resulting in overall density of 1 dwelling unit per 3.5 acres,

(f) land use and environmental restrictions beyond the Queen Anne's County Code requirements have been implemented through the award of Growth Allocation,

(g) the applicant proposes to clear .56 acres of the total 25.165 acres of woodlands although the Queen Anne's County Code permits approximately 5 acres of woodland to be cleared,

(h) open space has been further restricted through the Deed of Open Space And Environmental Easement to prevent nursery operations and prohibit any disturbance in the open space outside of the building pad,

(i) the property will be subject to the restrictions of a Habitat Conservation Plan to protect the DFS Habitat which will be regulated by the U.S. Fish and Wildlife Service, and

(j) the property, though targeted for growth under the Grasonville Community Plan and served by public sewer, is actually proposed to be developed at a lower density than envisioned in the Grasonville Community Plan in deference to the sensitive nature of the DFS Habitat.

Mr. Willard Parker, Esquire, on behalf of Ned Gerber, addressed the Planning Commission to argue that the Planning Commission, although they decided not to allow any new evidence into this proceeding, received a letter from Mr. Joseph Stevens, Esquire on September 14, 2000 containing new evidence. Chairman Hawes informed Mr. Parker that although the letter was given to the Planning Commission at its meeting in September, the letter was promptly retrieved by a staff member before Planning Commission members read it. Consequently, Planning Commission members did not review the letter and did not rely on any information provided in the letter during consideration of the project.

At 11:00 a.m. the Planning Commission recessed and reconvened at 11:10 a.m.

3. Amendment of Architectural Standards - Anchorage (#04-99-097 (C)) - The Planning Commission heard from Ms. Sue Ann Hyer-Morgan, Land Use Planner III, regarding the proposal by Mr. Maren D. Waterman to amend the architectural standards to allow for front entry garages in the 44 lot subdivision on 20.158 acres of land on Thompson Creek Road, in Stevensville.

Mr. Waterman informed the Planning Commission that at the time he proposed the requirement for side entry garages he was unaware of the difficulty in accessing side entry garages on lots of this size. Mr. Waterman added that the location of utilities on site created additional difficulties.

Mr. Jim Davidson, builder, described the physical constraints in placing a 2-car side entry garage on lots which are no wider than 65 feet. Mr. Davidson also explained the difficulty of positioning the driveway and turnaround to avoid public water and sewer easements, electric and cable boxes, stormdrains, and fire hydrants.

Upon review and further consideration of the request, the following motion was made by Mr. Weese, seconded by Mrs. Oertel and passed by voice vote:

RESOLVED, that section (b) (i) of the architectural standards for The Anchorage subdivision (#04-99-097 (C)), be and is hereby amended to read "two car garage", upon the condition that all other architectural standards are maintained.

4. Sketch Plan - Peter G. Sheaffer (Providence Farm) - #03-00-02 - The Planning Commission heard from Mr. J. Steven Cohoon, Development Review Chief, regarding the proposal for 17 single family lots with public roads on 402.689 acres of land, owned by the applicant, on Rolling Bridge Road and Taylor Mill Road both inside and outside the Town of Centreville. Mr. Cohoon informed the Planning Commission that the proposal is clearly inconsistent with the goals and objectives of the Centreville Community Plan, however, it is consistent with the standards contained in the Queen Anne's County Code for cluster development in the Agricultural (Ag) zoning district. Mr. Cohoon indicated that the Centreville Community Plan recommends that the property be rezoned at some unspecified point in the future from Ag to "Town Planned Unit Development" (TPUD). Mr. Cohoon opined that although the community plans, goals, objectives, policies and recommendations on land use carry great weight, they do not have the effect of law, and the County is obliged to review the proposal under Ag zoning regulations.

Mr. Joseph A. Stevens, Esquire, on behalf of the applicant, informed the Planning Commission that Mr. Sheaffer's market analysis indicates that small lots are unlikely to sell at this time but that there is a current market for larger lots. Mr. Stevens also indicated that Mr. Sheaffer is agreeable to the condition that no future development occur on the property prior to annexation into the Town of Centreville.

Mr. Peter Sheaffer addressed the Planning Commission to express his concern in adding an additional 1,320 acres of land to the current 1,000 acres in the Town of Centreville without any traffic studies or infrastructure improvements. Mr. Sheaffer opined that rapid growth would transform the rural agricultural area into something like Kent Island or Glen Burnie. Lastly, Mr. Sheaffer indicated his intent to place a conservation easement on the remainder of the property.

The Planning Commission requested, and Mr. Terry Adams, Town of Centreville Zoning Administrator / Town Manager, agreed, to arrange a meeting between the Queen Anne's County and Town of Centreville Planning Commissions.

Upon review and further consideration, the following motion was made by Mrs. Oertel, seconded by Mr. Weese and passed by voice vote:

RESOLVED, that the request by Peter G. Sheaffer (Providence Farm) for sketch plan approval for 17 cluster lots and public roads on 402.689 acres of land on Rolling Bridge Road and Taylor Mill Road, inside and outside the Town of Centreville, as more fully described in Planning Department file #03-00-02, be and is hereby tabled at least until the Queen Anne's County Planning Commission has had an opportunity to meet with the Town of Centreville Planning Commission regarding the request.

5. Certificate of Meritorious Service - E.M. Mack Pusey - Mr. John T. McQueeney and Ms. Marlene Davis, Queen Anne's County Commissioners, awarded Mr. Mack Pusey with a Certificate for Meritorious Service and gifts in appreciation of his 11 years of service to the County as a Planning Commissioner. Mr. Pusey expressed his appreciation to the Planning Department staff and Planning Commissioners for the quality of their work.

The Planning Commission recessed for a lunch in honor of Mr. Pusey at 12:30 p.m. and reconvened at 1:10 p.m.

6. Extension Requests (continued)

(C) **Peter G. Sheaffer (Subd #02-00-040)** - The Planning Commission heard from Mr. J. Steven Cohoon, Development Review Chief, regarding the request by the applicant for an extension of 30 days for Subdivision #02-00-040 on Union Church Road in Chestertown. Mr. Cohoon informed the Planning Commission that the applicant was awaiting a lienholder signature from Bank of America on the Third Amended Deed of Open Space Easement.

Upon review and further consideration of the request, the following motion was made by Mr. Pusey, seconded by Mr. Weese, and passed by voice vote:

RESOLVED, that at the request of Peter G. Sheaffer, the conditionally approved Subdivision # 02-00-040, shall be and is hereby extended through and including the date of the regularly scheduled Planning Commission Meeting on December 14, 2000.

(D) **Grasonville Church of God (MASP#05-00-02(c))** - The Planning Commission heard from Mr. J. Steven Cohoon, Development Review Chief, regarding the request by the applicant for a 90-day extension for the conditionally approved major site plan to allow the applicant time to work out a parking plan.

Upon review and consideration of the request, the following motion was made by Mrs. Oertel, seconded by Mr. Clark, and passed by voice vote:

RESOLVED, that at the request of Grasonville Church of God, the conditionally approved site plan #05-00-02-C, shall be and is hereby extended through and including the date of the regularly scheduled Planning Commission Meeting on February 8, 2001.

(E) **The Landing at Kirwan Creek (Subd. #04-95-029)** - Mr. J. Steven Cohoon, Development Review Chief, presented the Planning Commission with a request made by the applicant for an extension of the conditionally approved subdivision. Mr. Cohoon explained the continuation of legal difficulties the applicant has encountered regarding previously recorded Open Space Covenants.

Upon review and further consideration, the following motion was made by Mrs. Oertel, seconded by Mr. Weese, and passed by voice vote:

RESOLVED, that at the request of the applicant, the conditionally approved subdivision known as The Landing at Kirwan Creek and described in Planning Department file # 04-95-029, shall be and is hereby extended through and including May 10, 2001, upon the condition that the applicant notify the Planning Department of resolution of the dispute regarding the Homeowners Agreement and, once resolved, from the date of such resolution the applicant's 90 day extension period shall begin.

Mr. Mack Pusey requested that the Planning Department Staff and the Planning Commissioners retain the beauty of Route 301, continue to keep the County a bedroom community and avoid problems associated with noise. Mr. Pusey then departed for the remainder of the meeting.

7. Comprehensive Plan Review -The Planning Commission then held a Work Session led by Ms. Jane Dembner, Consultant, and Ms. Faith Elliott-Rossing, Community Planner, to discuss Community Facilities and Fiscal Health Elements of the Draft Comprehensive Plan. Ms. Dembner indicated that the Draft Comprehensive Plan with revisions would continue to evolve as it is sent to the TAC, CAC and public for review.

There being no further business to come before the Planning Commission the meeting was adjourned at 4:00 p.m.

RESPECTFULLY SUBMITTED:



Loring Hawes, Secretary

Supplement to Appeal filed May 5, 1999 WSP

**IN THE MATTER OF
THE APPLICATION OF**

**BOARD OF APPEALS OF
QUEEN ANNE'S COUNTY**

John E. Gerber, III, Appellant

216 Pear Tree Farm Ln.

CASE NUMBER: A-131

Queenstown, MD 21658

Please check one:

Property Owner _____ Contract Purchaser _____ Lessee _____

Applicant's Phone No.:

H: _____ W: (410) 822-1122 (Willard Parker, Esq.)

Name, Address and Phone No. of Applicant

TO THE BOARD OF APPEALS OF QUEEN ANNE'S COUNTY:

1. Application is hereby made for: (Check one)

X Appeal from the County Zoning Administration

_____ Variance

_____ Conditional Use

2. Description of Property:

a) Election District Fifth Sectional Zoning Map 58

b) Name of Subdivision Homeport on Winchester Creek

c) Parcel No. 497,616,11,807 Block No. 10/16 Lot No. _____

d) Abutting or binding roads Hissey Road

e) Acres or Size of Property 56.60

f) Improved or Unimproved unimproved

g) Zoning District E* Critical Areas District RCA & LDA

*under appeal to Circuit Court for Queen Anne's County

RECEIVED

JUN 1 1999

CHESAPEAKE BAY
CRITICAL AREA COMMISSON

3. Relief requested.

Please state with specificity the relief which you request and the facts upon which you base this request:

Appealing final subdivision approval of "Homeport on Winchester Creek" (Winchester Creek Limited Partnership) Case #05-98-042).

Applicant appeals from the decision of the Planning Commission to grant final plat approval based upon erroneous findings of fact and errors of law.

4. State the name, address and Phone No. of the record owner of the property involved. If Applicant is not the record owner, also state your status with regard to the property.

Winchester Creek Limited Partnership is record owner. Applicant is neighboring property owner.

Owner's Phone No.: H: unknown W: unknown

5. Names and addresses of persons to be summoned as witness or notified of hearing (please circle one): _____

To be supplied, if necessary, prior to hearing.

6. Previous Applications. If this property has previously been the subject of a prior application, state the name, date, the number of the application and the results thereof.

Unknown.

7. a) Documents required for submission. Please attach hereto the following documents: **FAILURE TO ATTACH ANY REQUIRED DOCUMENT WILL SUSPEND THE APPLICATION PROCESS UNTIL SUBMISSION. DOCUMENTS MAY NOT BE ALTERED OR AMENDED AT THE TIME OF THE HEARING WITHOUT APPROVAL OF THE BOARD.**

X 1. Eight copies of this Application, including eight copies of "Affidavit As To Owners of Adjoining Property" (attached).

X 2. Two copies of the most recent deed to property.

X 3. One copy of the sectional zoning map.

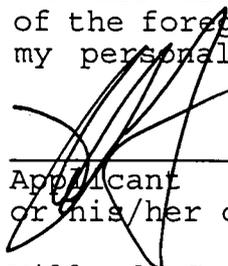
X 4. One copy of tax map if parcel is not identified on sectional zoning map.

X 5. One copy of correspondence from the Department of Planning and Zoning.

- X 6. One copy of Notification of Project Application form (attached) if property is located within the Critical Area.
- ___ 7. One copy of correspondence from the Critical Area Commission, if applicable.
- ___ 8. One copy of correspondence from the Queen Anne's County Health Department, if applicable.
- ___ 9. One copy of correspondence from Queen Anne's County Sanitary District, if applicable.
- ___ 10. One copy of soil conservation permit, if applicable.
- ___ 11. One copy of building or use permit, if applicable.
- ___ 12. Eight copies of site plan, concept plan or sketch plan required by Section 18-1-207 and 18-1-229 of the Queen Anne's County Code, Title 18.
- ___ 13. One copy of Army Corps of Engineers and Dept. of Natural Resources permits, if applicable. (these permits shall be required to be obtained and introduced for the record for all applications involving structures in navigable waters and requiring Army Corps of Engineers and Dept. of Natural Resources permits).
- ___ 14. Any other documents necessary for project approval pursuant to Section 18-1-132 of the Queen Anne's County Code, Title 18.
- ___ 15. Any other documents necessary for project approval pursuant to Section 14-161 of the Queen Anne's County Code, Title 14.

I CERTIFY, that a copy of the within Application was filed with the Queen Anne's County Board of Appeals on this 5th day of May, 19 99.

I do solemnly declare and affirm under the penalties of perjury that the contents of the foregoing application are true and correct to the best of my personal knowledge, information and belief.



Applicant
or his/her or their Attorney

Willard C. Parker, II, Attorney for
Appellant, John E. Gerber, III

Judge John C. North, II
Chairman



Ren Srey
Executive Director

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

45 Calvert Street, 2nd Floor, Annapolis, Maryland 21401
(410) 260-7516 Fax: (410) 974-5338

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QA COUNTY PLANNING & ZONING

March 8, 1999

Mr. Steve Cohoon
Department of Planning and Zoning
Queen Anne's County
107 N. Liberty Street
Centreville Maryland 21617

RE: Homeport on Winchester Creek - Sketch Plan/Major Subdivision
File # 05-98-042 (c) Revision #2

Dear Mr. Cohoon:

In our previous letter of comment on the above referenced subdivision, we recommended that the Planning Commission hold their decision until the habitat conservation plan is completed. This letter supersedes those comments. We understand that the County will continue to receive input from agencies with expertise on the protection needs of the Delmarva Fox Squirrel on the site and therefore we recommend that the County continue to consult with those agencies to develop adequate protections for the habitat during the ongoing subdivision review process.

If you have any questions concerning these comments, please call me at (410) 260-7019.

Sincerely,

Susan McConville
Natural Resources Planner

SM/jjd

cc: QA 31-97

Branch Office: 31 Creamery Lane, Easton, MD 21601
(410) 822-9047 Fax: (410) 820-5093

TTY FOR DEAF ANNAPOLIS-974-2609 D.C. METRO-586-0450

Judge John C. North, II
Chairman



Ren Serey
Executive Director

**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

45 Calvert Street, 2nd Floor, Annapolis, Maryland 21401
(410) 260-7516 Fax: (410) 974-5338

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MAR 1 1999

Q.A. COUNTY PLANNING & ZONING

February 23, 1999

Mr. Steve Cohoon
Department of Planning and Zoning
Queen Anne's County
107 N. Liberty Street
Centreville Maryland 21617

**RE: Homeport on Winchester Creek - Sketch Plan/Major Subdivision
File # 05-98-042 (c) Revision #2**

Dear Mr. Cohoon:

Thank you for the opportunity to provide comments on the Homeport on Winchester Creek subdivision. I have reviewed the above referenced revision. Commission staff recommend that no further action be taken on the subdivision application until the habitat conservation plan for the Delmarva Fox Squirrel is approved by the U.S. Fish and Wildlife Service. If you have any questions concerning these comments, please call me at (410) 260-7019.

Sincerely,

A handwritten signature in cursive script that reads "Susan McConville".

Susan McConville
Natural Resources Planner

SM/jjd

cc: QA 31-97

Branch Office: 31 Creamery Lane, Easton, MD 21601
(410) 822-9047 Fax: (410) 820-5093

copy recd. 2/24/99

TTY FOR DEAF ANNAPOLIS-974-2609 D.C. METRO-586-0450





Judge John C. North, II
Chairman

Ren Serey
Executive Director

**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

45 Calvert Street, 2nd Floor, Annapolis, Maryland 21401
(410) 260-7516 Fax: (410) 974-5338

RECEIVED

December 23, 1998

DEC 30 1998

Mr. Steve Cohoon
Department of Planning and Zoning
107 N Liberty Street
Centerville Maryland 21617

Q.A. COUNTY PLANNING & ZONING

**RE: Homeport on Winchester Creek - Administrative/Major Subdivision
File # 05-98-042 (c) Revision #1**

Dear Mr. Cohoon:

Thank you for the opportunity to provide comments on the Homeport on Winchester Creek subdivision. I have reviewed the plans and information provided by the applicant that addressed county and agency comments on the proposed subdivision. Commission staff recommend that no final action on the subdivision be taken until the habitat protection plan for the Delmarva Fox Squirrel has been approved by the U.S. Fish and Wildlife Service.

Please forward information regarding the habitat protection plan approvals and we can provide further comment. If you have any questions concerning these comments, please call me at (410) 260-7019.

Sincerely,

Susan McConville
Natural Resources Planner

SM/jjd

cc: QA 31-97

Branch Office: 31 Creamery Lane, Easton, MD 21601
(410) 822-9047 Fax: (410) 820-5093

Fay recd. 12/23/98





Judge John C. North, II
Chairman

Ren Serey
Executive Director

**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

45 Calvert Street, 2nd Floor, Annapolis, Maryland 21401
(410) 974-2426 Fax: (410) 974-5338

June 30, 1998

Mr. Steve Cohoon
Principal Planner
Queen Anne's County Department of Planning & Zoning
107 N. Liberty Street
Centreville, MD 21617

RECEIVED
JUL 07 1998

Q.A. COUNTY PLANNING & ZONING

RE: Homeport on Winchester Creek Major Subdivision (# 05-98-042C)

Dear Mr. Cohoon:

Thank you for the opportunity to provide comments on the Homeport on Winchester Creek subdivision. The property owner proposes 15 new residential lots with three (3) open space lots. The applicant is currently pursuing approval of the subdivision site plan to proceed with the development.

The Commission approved with conditions the County's petition for growth allocation on this subdivision allowing 26.553 acres of land to be upgraded from RCA to LDA (see attached letter). As conditions for the Commission's approval, the following is required of the applicant prior to subdivision approval:

- (1) The applicant will adopt easement restrictions which permanently protect the designated easement area in the same way as the 100-foot Buffer.
- (2) The applicant will adopt easement restrictions for this site which protect and enhance the existing habitat for the federally endangered Delmarva fox squirrel and which are approved by the Department of Natural Resources' Heritage & Biodiversity Conservation Program.
- (3) The applicant will prohibit the construction of the proposed community pier and any other water-dependent facility on this site between October - March of any year to protect waterfowl habitat.
- (4) The applicant agrees to enhance unforested areas of the 100-foot Buffer and environmental easement with planted native forest species or to allow these areas to naturally regenerate.

faxed 6/30/98

Branch Office: 31 Creamery Lane, Easton, MD 21601
(410) 822-9047 Fax: (410) 820-5093



Homeport on Winchester Creek - Major Subdivision
June 30, 1998
Page Two

The applicant must demonstrate compliance with the above conditions before the subdivision can be approved. In addition, we recommend that the applicant continue to work with the Department of Natural Resources to assure the most effective habitat protection measures for this property. Please forward a copy of the final subdivision plat with the appropriate habitat restrictions.

If you should have any questions about these comments, please feel free to call me at (410) 974-2426.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gregory L. Schaner', is written over the word 'Sincerely,'. The signature is fluid and cursive, with a large loop at the end.

Gregory L. Schaner
Natural Resources Planner

Attachment

\GLS
QC File: Homeport on Winchester Creek - QC 31-97
c:\wpdata\queenann\project\1998\subdiv\winchst1.wpd

Attachment



Judge John C. North, II
Chairman

Ren Serey
Executive Director

**STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

45 Calvert Street, 2nd Floor, Annapolis, Maryland 21401

(410) 974-2426

Fax: (410) 974-5338

October 7, 1997

Mr. Barry F. Griffith, AICP
Principal Planner
Queen Anne's County Department of Planning & Zoning
107 N. Liberty Street
Centreville, MD 21617

**RE: Winchester Creek Limited Partnership Growth Allocation - Critical Area
Commission Re-Approval**

Dear Mr. Griffith:

At its meeting on February 4, 1998, the Chesapeake Bay Critical Area Commission concurred with the Chairman's determination to re-approve the County's petition for growth allocation for the Winchester Creek Limited Partnership subdivision in order to provide the County with an additional 120 days to adopt the program change. The refinement to upgrade 26.553 acres from a Critical Area classification of RCA to LDA has been re-approved with conditions.

The Commission emphasizes that this approval still requires that certain conditions are met. These include:

- (1) The applicant will adopt easement restrictions which permanently protect the designated easement area in the same way as the 100-foot Buffer.
- (2) The applicant will adopt easement restrictions for this site which protect and enhance the existing habitat for the federally endangered Delmarva fox squirrel and which are approved by the Department of Natural Resources' Heritage & Biodiversity Conservation Program.
- (3) The applicant will prohibit the construction of the proposed community pier and any other water-dependent facility on this site between October - March of any year to protect waterfowl habitat.
- (4) The applicant agrees to enhance unforested areas of the 100-foot Buffer and environmental easement with planted native forest species or to allow these areas to naturally regenerate.

RECEIVED

JAN 18 2001

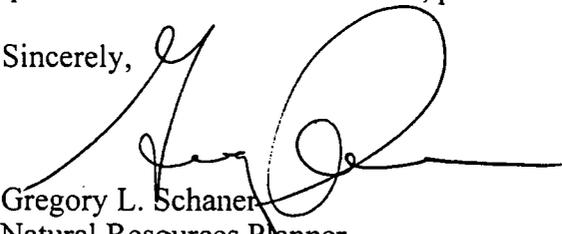
CHESAPEAKE BAY
CRITICAL AREA COMMISSION

Branch Office: 31 Creamery Lane, Easton, MD 21601
(410) 822-9047 Fax: (410) 820-5093

**Winchester Creek Limited Partnership Growth Allocation
Critical Area Commission Re- Approval
Page Two**

Please provide the Commission with a copy of the draft final site plan and associated easement agreements for our review to ensure that the above conditions are met. We will accommodate your time schedule for any final reviews. Additionally, please provide a copy of all changed Critical Area maps to this office when they have been prepared. If you should have any questions about these comments, please feel free to call me at (410) 974-2426.

Sincerely,



Gregory L. Schaner
Natural Resources Planner

\\GLS
P:\CAC\Planr\Greg\queenann\amendref\winchstr.8

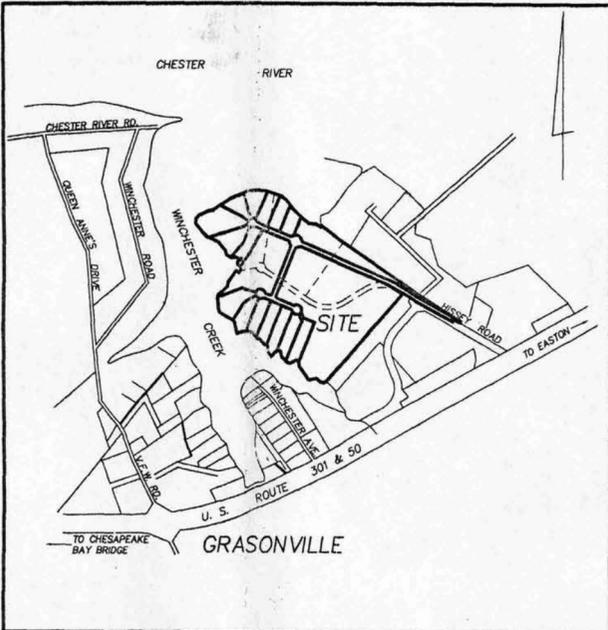
SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT THE UNDERSIGNED, REGISTERED MARYLAND SURVEYOR NO. 254, HAS SURVEYED AND SUBDIVIDED THE PROPERTY AS DESCRIBED AND SHOWN ON THE ANNEXED PLAT AND THAT SUCH PLAT IS A CORRECT REPRESENTATION OF THAT SURVEY AND SUBDIVISION. ALL DISTANCES ARE SHOWN IN FEET AND DECIMALS THEREOF. ALL LOTS MEET THE REQUIREMENTS OF THE QUEEN ANNE'S COUNTY ZONING ORDINANCE IN REGARD TO LOT AREA, WIDTH, AND BUILDABLE AREA.

I FURTHER CERTIFY THAT THIS SUBDIVISION IS NOT SITUATED WITHIN FIVE HUNDRED (500) FEET OF A SURFACE DRAIN OR WATER COURSE SERVING AS A TRIBUTARY AREA OF 640 ACRES OR MORE.

AS WITNESS MY HAND AND SEAL THIS 5th DAY OF April 1999

REGISTERED MARYLAND SURVEYOR
McCRONE, INC.
207 N. LIBERTY STREET
CENTREVILLE, MD. 21617



VICINITY MAP
SCALE 1" = 2000'

BASE SITE AREA - CRITICAL - ESTATE

GROSS SITE AREA	56.60 acres
NON-CONTIGUOUS LAND	0.000 acres
LAND IN OTHER ZONING DISTRICTS OR CHESAPEAKE BAY CRITICAL AREA	0.651 acres
EQUALS BASE SITE AREA	55.949 acres

RESOURCE PROTECTION AND SENSITIVE AREAS LAND

RESOURCE/SENSITIVE AREAS PRESENT	RESOURCE PROTECTION RATIO	ACRES OF LAND IN RESOURCE	RESOURCE PROTECTION LAND
WETLANDS			
TIDAL	100	4.093	4.093
NONTIDAL	100	4.096	4.096
WOODLANDS	80	7.143	5.714
SHORE BUFFER	100	10.676	10.676
TOTAL LAND IN RESOURCE		26.008 acres	
TOTAL RESOURCE PROTECTION LAND			24.579 acres

DETERMINATION OF RESIDENTIAL SITE CAPACITY

TOTAL RESOURCE PROTECTION LAND	24.579 acres
BASE SITE AREA	55.949 acres
DISTRICT OPEN SPACE RATIO	0.50
MINIMUM REQUIRED OPEN SPACE	27.975 acres
BASE SITE AREA	55.949
TOTAL RESOURCE PROTECTION LANDS OR MINIMUM REQUIRED OPEN SPACE (WHICHEVER IS GREATER)	30.388 acres
NET BUILDABLE AREA	25.561 acres
NET DENSITY FACTOR	1.24
NUMBER OF DWELLING UNITS	31 units*
BASE SITE AREA	55.949 acres
GROSS DENSITY FACTOR	0.50
MAXIMUM DWELLING UNITS	27 units*
MAXIMUM DWELLING UNITS OR NUMBER OF DWELLING UNITS (WHICHEVER IS LESS)	27 units*

BASE SITE AREA - UPLAND - ESTATE

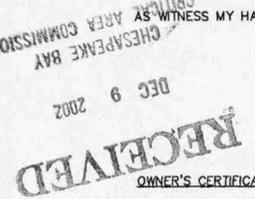
GROSS SITE AREA	56.60 acres
NON-CONTIGUOUS LAND	0.000 acres
LAND IN OTHER ZONING DISTRICTS OR CHESAPEAKE BAY CRITICAL AREA	55.949 acres
EQUALS BASE SITE AREA	0.651 acres

RESOURCE PROTECTION AND SENSITIVE AREAS LAND

RESOURCE/SENSITIVE AREAS PRESENT	RESOURCE PROTECTION RATIO	ACRES OF LAND IN RESOURCE	RESOURCE PROTECTION LAND
WOODLANDS	60	0.389	0.233
TOTAL LAND IN RESOURCE		0.389 acres	
TOTAL RESOURCE PROTECTION LAND			0.233 acres

DETERMINATION OF RESIDENTIAL SITE CAPACITY

TOTAL RESOURCE PROTECTION LAND	0.233 acres
BASE SITE AREA	0.651 acres
DISTRICT OPEN SPACE RATIO	0.50
MINIMUM REQUIRED OPEN SPACE	0.326 acres
BASE SITE AREA	0.651
TOTAL RESOURCE PROTECTION LANDS OR MINIMUM REQUIRED OPEN SPACE (WHICHEVER IS GREATER)	0.326 acres
NET BUILDABLE AREA	0.325 acres
NET DENSITY FACTOR	1.24
NUMBER OF DWELLING UNITS	0 units*
BASE SITE AREA	0.651 acres
GROSS DENSITY FACTOR	0.50
MAXIMUM DWELLING UNITS	0 units*
MAXIMUM DWELLING UNITS OR	0 units*



OWNER'S CERTIFICATE

THIS IS TO CERTIFY THAT THE UNDERSIGNED IS/ARE THE OWNER(S) OF THE LAND DESCRIBED IN THE ANNEXED PLAT AND THAT I/WE HAS/HAVE CAUSED THE LAND TO BE SURVEYED AND SUBDIVIDED AS INDICATED THEREON FOR THE USES AND PURPOSES SET FORTH HEREIN. I/WE ALSO CERTIFY TO THE BEST OF MY/OUR KNOWLEDGE THAT ALL RECORDED AND UNRECORDED EASEMENTS, RESTRICTIONS, RESERVATIONS OR COVENANTS HAVE BEEN INDICATED ON THE ANNEXED PLAT. I/WE HEREBY ACKNOWLEDGE AND ADOPT THE SAME AS MY/OUR ACT THE 13th DAY OF May 1999.

Winchester Creek Ltd Partnership
Waterman Realty, gen Partner
by Marleen D Waterman Pres.
OWNER(S)

UNIFORM ACKNOWLEDGMENT ACT

STATE OF Maryland
COUNTY OF Queen Anne's
ON THIS 13th DAY OF May, 1999, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED Marleen D Waterman
KNOWN TO ME (OR SATISFACTORILY PROVEN) TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED THAT HE EXECUTED THE SAME FOR THE PURPOSES THEREIN CONTAINED, IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND OFFICIAL SEAL.



Laura Kaufmann
NOTARY PUBLIC

PUBLIC WORKS CERTIFICATE

THIS IS TO VERIFY THAT THE ANNEXED PLAT OF SUBDIVISION WAS APPROVED BY THE DEPARTMENT OF PUBLIC WORKS OF QUEEN ANNE'S COUNTY ON THE 29th DAY OF April, 1999.

M. Jason E. Jones

COUNTY COLLECTOR OF TAXES

THE COLLECTOR OF TAXES FOR QUEEN ANNE'S COUNTY HEREBY CERTIFIES THAT THERE ARE NO DELINQUENT GENERAL TAXES AND NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND SHOWN ON THE ANNEXED PLAT AND THAT I HAVE RECEIVED ALL FEES AND TAXES ASSESSED AGAINST SUCH LAND, AS WITNESSED BY MY SIGNATURE THIS 22nd DAY OF April, 1999.

Patricia L. Meyers
QUEEN ANNE'S COUNTY FINANCE OFFICE

DEPARTMENT OF ENVIRONMENTAL HEALTH CERTIFICATE

THIS IS TO VERIFY THAT THE ANNEXED PLAT OF SUBDIVISION WAS APPROVED BY THE DEPARTMENT OF ENVIRONMENTAL HEALTH OF QUEEN ANNE'S COUNTY ON THE 20th DAY OF April, 1999.

John E. Nickerson

PLANNING COMMISSION CERTIFICATE

THIS IS TO CERTIFY THAT THE ANNEXED PLAT OF SUBDIVISION WAS APPROVED BY THE PLANNING COMMISSION OF QUEEN ANNE'S COUNTY ON THE 18th DAY OF May, 1999.

Larry S. Haines
CHAIRMAN
Secretary

PLANNING COMMISSION ATTORNEY CERTIFICATE

THE UNDERSIGNED, COUNTY ATTORNEY FOR QUEEN ANNE'S COUNTY, HEREBY CERTIFIES THAT ACCEPTABLE SURETY FOR REQUIRED IMPROVEMENTS SHOWN ON THE ANNEXED PLAT HAS BEEN FURNISHED IN ACCORDANCE WITH THE QUEEN ANNE'S COUNTY ZONING ORDINANCE.

PLANNING COMMISSION ATTORNEY

TABLE OF CONTENTS

- SHEET 1 - TITLE SHEET
- SHEET 2 - ADMINISTRATIVE SUBDIVISION
- SHEET 3 - MAJOR SUBDIVISION
- SHEET 4 - SUBDIVISION PLAT
- SHEET 5 - SUBDIVISION PLAT
- SHEET 6 - SUBDIVISION PLAT

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CLERK-CIRCUIT COURT
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QUEEN ANNE'S COUNTY

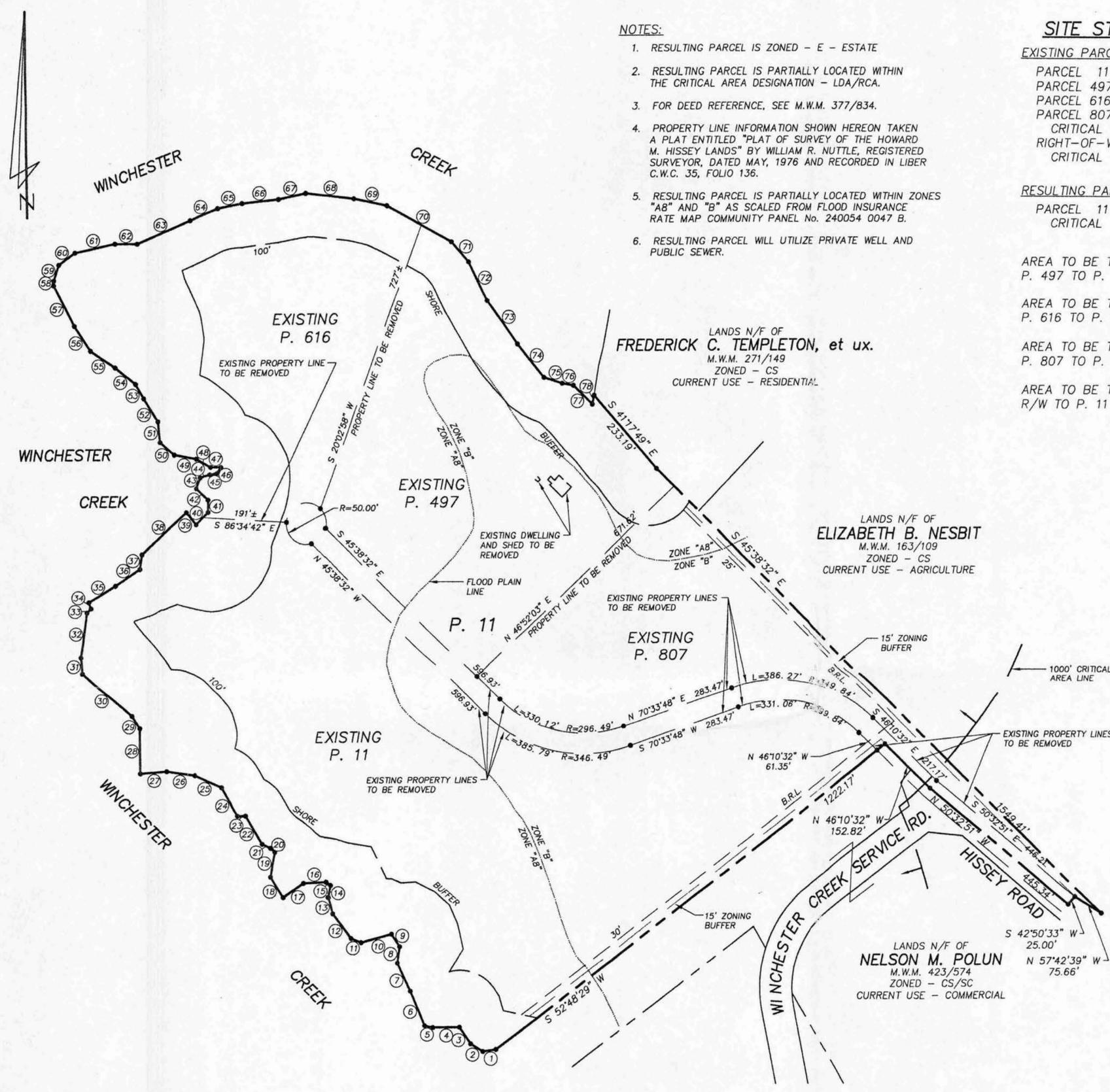
DATE	SCALE
JUNE '98	AS SHOWN
JOB NO.	DRAWN BY
D1940198	J. MOORE
FOLDER REF	DESIGNED BY
1740	
DATE	REVISION
12-17-98	PER STAC COMMENTS

McCRONE
ENGINEERING □ ENVIRONMENTAL SCIENCES
LAND PLANNING & SURVEYING □ CONSTRUCTION SERVICES
207 NORTH LIBERTY STREET
SUITE 100
CENTREVILLE, MARYLAND
(410) 758-2237
ANNAPOLIS-CENTREVILLE-ELKTON-SALISBURY-SOUTHERN MARYLAND

ADMINISTRATIVE/MAJOR SUBDIVISION
FOR
HOMEPORT
ON
WINCHESTER CREEK
TAX MAP 58, BLOCK 10, 11, 16 & 17 PARCELS 11, 497, 616 & 807
FIFTH ELECTION DISTRICT, QUEEN ANNE'S COUNTY, MARYLAND
PREPARED FOR: WINCHESTER CREEK LIMITED PARTNERSHIP



SHEET NO. — 1 OF 6
CADD FILE — 94198-01



- NOTES:**
1. RESULTING PARCEL IS ZONED - E - ESTATE
 2. RESULTING PARCEL IS PARTIALLY LOCATED WITHIN THE CRITICAL AREA DESIGNATION - LDA/RCA.
 3. FOR DEED REFERENCE, SEE M.W.M. 377/834.
 4. PROPERTY LINE INFORMATION SHOWN HEREON TAKEN A PLAT ENTITLED "PLAT OF SURVEY OF THE HOWARD M. HISSEY LANDS" BY WILLIAM R. NUTTLE, REGISTERED SURVEYOR, DATED MAY, 1976 AND RECORDED IN LIBER C.W.C. 35, FOLIO 136.
 5. RESULTING PARCEL IS PARTIALLY LOCATED WITHIN ZONES "A8" AND "B" AS SCALED FROM FLOOD INSURANCE RATE MAP COMMUNITY PANEL No. 240054 0047 B.
 6. RESULTING PARCEL WILL UTILIZE PRIVATE WELL AND PUBLIC SEWER.

SITE STATISTICS

EXISTING PARCEL AREAS:

PARCEL 11	=	25.55	AC.±
PARCEL 497	=	11.02	AC.±
PARCEL 616	=	10.25	AC.±
PARCEL 807	=	7.36	AC.±
CRITICAL	=	6.973	AC.±
RIGHT-OF-WAY	=	2.42	AC.±
CRITICAL	=	2.156	AC.±

RESULTING PARCEL AREA:

PARCEL 11	=	56.60	AC.±
CRITICAL	=	55.949	AC.±

AREA TO BE TRANSFERRED FROM P. 497 TO P. 11 = 11.02 AC.±

AREA TO BE TRANSFERRED FROM P. 616 TO P. 11 = 10.25 AC.±

AREA TO BE TRANSFERRED FROM P. 807 TO P. 11 = 7.36 AC.±

AREA TO BE TRANSFERRED FROM R/W TO P. 11 = 2.42 AC.±

SHORELINE COURSES & DISTANCES

LINE	DIRECTION	DISTANCE
1	S 81°3'16" W	32.37'
2	N 58°17'38" W	35.39'
3	N 34°05'12" W	49.18'
4	S 89°20'19" W	66.10'
5	N 77°36'44" W	20.52'
6	N 22°35'12" W	90.89'
7	N 25°10'37" W	75.68'
8	N 07°07'30" E	40.31'
9	N 33°41'24" W	36.06'
10	S 75°04'07" W	77.62'
11	N 68°11'55" W	28.93'
12	N 36°52'12" W	75.00'
13	N 14°02'10" W	41.23'
14	N 09°27'44" E	30.41'
15	N 51°20'25" W	12.81'
16	S 86°52'40" W	55.08'
17	S 55°00'29" W	61.03'
18	N 30°57'50" W	58.31'
19	N 09°27'44" E	60.83'
20	N 45°00'00" W	14.14'
21	N 63°26'06" W	22.36'
22	N 29°44'42" W	80.62'
23	N 90°00'00" W	20.00'
24	N 29°44'42" W	80.62'
25	N 65°13'29" W	71.59'
26	N 81°52'12" W	70.71'
27	S 85°36'05" W	65.19'
28	N 00°31'15" W	110.01'
29	N 32°20'51" W	35.51'
30	N 48°48'51" W	159.45'
31	N 07°07'30" W	40.31'
32	N 07°45'55" E	111.02'
33	N 45°00'00" E	14.14'
34	N 18°26'06" W	15.81'
35	N 58°23'33" E	76.32'
36	N 56°18'36" E	72.11'
37	N 08°07'48" E	35.36'
38	N 47°43'35" E	148.66'
39	S 39°48'20" E	39.05'
40	N 44°01'44" E	41.73'
41	N 00°00'00" E	30.00'
42	N 46°00'18" W	40.31'
43	N 20°19'23" E	28.79'
44	N 73°04'21" E	24.04'
45	N 79°59'31" E	17.26'
46	N 33°41'24" E	18.03'
47	N 90°00'00" W	25.00'
48	N 60°15'18" W	40.31'
49	N 79°41'43" W	55.90'
50	N 49°23'55" W	46.10'
51	N 05°42'38" W	50.25'
52	N 32°28'16" W	65.19'
53	N 29°44'42" W	40.31'
54	N 51°20'25" W	64.03'
55	N 56°18'36" W	72.11'
56	N 33°41'24" W	72.11'
57	N 26°33'54" W	111.80'
58	N 02°26'05" E	11.87'
59	N 17°54'36" E	41.00'
60	N 53°19'04" E	49.55'
61	N 77°34'57" E	100.80'
62	S 89°04'08" E	54.77'
63	N 66°41'34" E	143.10'
64	N 67°00'31" E	73.83'
65	N 78°43'57" E	59.86'
66	N 84°04'57" E	88.59'
67	N 78°00'05" E	69.48'
68	S 82°57'32" E	119.48'
69	S 77°57'09" E	83.03'
70	S 60°20'00" E	181.84'
71	S 40°01'49" E	65.30'
72	S 25°20'46" E	105.12'
73	S 35°32'16" E	129.04'
74	S 39°05'38" E	103.08'
75	S 71°33'54" E	47.43'
76	S 79°52'31" E	28.44'
77	S 46°17'43" E	65.07'
78	N 13°02'41" E	21.42'

PROPERTY OWNER
WINCHESTER CREEK LIMITED PARTNERSHIP
109 COUNTRY DAY ROAD
CHESTER, MARYLAND 21619

DATE	SCALE
JUNE '98	1" = 200'
JOB NO.	DRAWN BY
D1940198	J. MOORE
FOLDER REF	DESIGNED BY
1740	
	APPROVED BY
	D. JOINER
DATE	REVISION
12-17-98	PER STAC COMMENTS

McCRONE
ENGINEERING □ ENVIRONMENTAL SCIENCES
LAND PLANNING & SURVEYING □ CONSTRUCTION SERVICES

207 NORTH LIBERTY STREET
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(410) 758-2237

ANNAPOLIS-CENTREVILLE-ELKTON-SALISBURY-SOUTHERN MARYLAND

ADMINISTRATIVE SUBDIVISION

FOR
HOMEPOR
ON
WINCHESTER CREEK

TAX MAP 58, BLOCK 10, 11, 16 & 17 PARCELS 11, 497, 616 & 807

FIFTH ELECTION DISTRICT, QUEEN ANNE'S COUNTY, MARYLAND

PREPARED FOR: WINCHESTER CREEK LIMITED PARTNERSHIP

4-15-98
DATE SEAL

SHEET NO. — 2 OF 6
CADD FILE — 94198-02

PROPERTY OWNER
WINCHESTER CREEK LIMITED PARTNERSHIP
109 COUNTRY DAY ROAD
CHESTER, MARYLAND 21619

NOTES:

- FOR DEED REFERENCE, SEE M.W.M. 377/834.
- SITE IS CURRENTLY ZONED - E - ESTATE. SITE WAS REZONED TO - E - ESTATE WHEN QUEEN ANNE'S COUNTY COMMISSIONERS ADOPTED LEGISLATIVE BILL #98-13 REZONING BECAME EFFECTIVE JAN. 22, 1999.
- SITE IS PARTIALLY LOCATED WITHIN THE CRITICAL AREA DESIGNATION - RCA/LDA.
- ON APRIL 14, 1998 THE QUEEN ANNE'S COUNTY COMMISSIONERS APPROVED RESOLUTION # 98-11 WHICH GRANTED 26.533 AC.± OF GROWTH ALLOCATION TO THIS PROPERTY FOR A RESIDENTIAL DEVELOPMENT ENVELOPE FROM RCA TO LDA.
- SOILS SHOWN HEREON TAKEN FROM SOILS SURVEY MAPS #37 & #45 OF QUEEN ANNE'S COUNTY.
- TIDAL AND NONTIDAL WETLANDS WERE SCALED FROM STATE OF MARYLAND WETLANDS INVENTORY MAP, QUEENSTOWN QUAD.
- WOODLANDS SHOWN HEREON WHERE FIELD LOCATED BY McCRONE, INC. IN MAY, 1998.
- CURRENT USE - AGRICULTURE
- PUBLIC SEWER FACILITIES TO BE USED FOR SEWERAGE DISPOSAL.
- LOTS TO BE SERVED BY ON SITE WELLS.
- PRIOR TO THE CUTTING OR CLEARING OF ANY WOODLANDS WITHIN THE CRITICAL AREA SHOWN HEREON AND PRIOR TO THE ISSUANCE OF ANY QUEEN ANNE'S COUNTY BUILDING PERMIT OR SEDIMENT CONTROL PERMIT WITHIN THE LIMITED DEVELOPMENT AREA (LDA) OR RESOURCE CONSERVATION AREA (RCA), COMPLIANCE WITH THE FOLLOWING IS REQUIRED: SECTION 18-1-093, SECTION 14-138(d)(6), SECTION 14-138(e)(3) AND SECTION 14-151 OF THE QUEEN ANNE'S COUNTY CODE, 1996 EDITION.
- COMMUNITY PIER WITH 15 SLIPS IS PROVIDED AS PER SECTION 14-143 OF THE COUNTY CODE. PIER LAYOUT, NUMBER OF SLIPS AND LOCATION IS PROVIDED FOR CONCEPTUAL PURPOSES ONLY AND IS SUBJECT TO MARYLAND DEPARTMENT OF ENVIRONMENT AND U.S. ARMY CORPS OF ENGINEERS AUTHORIZATION.
- THERE IS TO BE NO MORE THAN ONE RESIDENTIAL STRUCTURE OUTSIDE OF THE PROPERTY LINES OF THE PROPOSED 15 CLUSTER LOTS.
- ANY RESIDENTIAL STRUCTURE ON THE OPEN SPACE LOTS SHALL BE SUBJECT TO THE SAME RESTRICTIVE COVENANTS THAT AFFECT ALL THE CLUSTER LOTS.
- THERE SHALL BE NO NURSERY USES ON THE OPEN SPACE LOTS.
- CONSTRUCTION OF THE PROPOSED COMMUNITY PIER AND ANY OTHER WATER DEPENDENT FACILITY ON THIS SITE SHALL BE PROHIBITED BETWEEN OCTOBER AND MARCH OF ANY YEAR TO PROTECT WATERFOWL HABITAT.

SITE STATISTICS

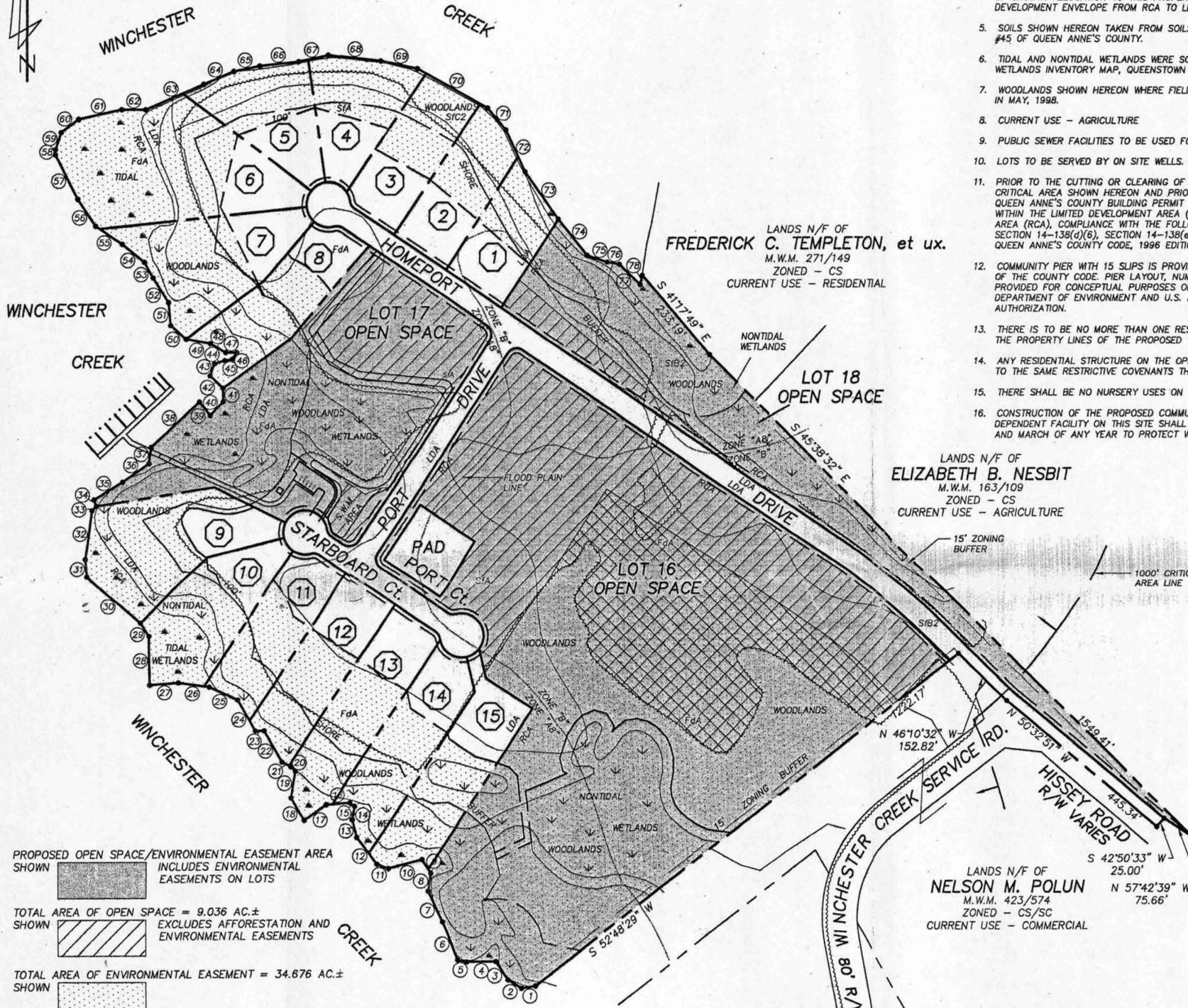
GROSS SITE AREA	= 56.60 acres ±
CRITICAL AREA	= 55.949 acres ±
UPLAND AREA	= 0.651 acres ±
BASE SITE AREA	= 56.60 acres ±
AREA IN BUFFERYARDS	= 0.944 acres ± (41,097 sq. ft.)
PLANT UNITS REQUIRED IN BUFFERYARDS	= 2,740 linear feet = 19 PLANT UNITS
TOTAL NET BUILDABLE AREA ALLOWED	= 25.886 acres ±
TOTAL NET BUILDABLE AREA PROPOSED	= 24.844 acres ±
NET BUILDABLE AREA ALLOWED	= 25.561 acres ± (CRITICAL)
NET BUILDABLE AREA PROPOSED	= 24.580 acres ± (CRITICAL)
NET BUILDABLE AREA ALLOWED	= 0.325 acres ± (UPLAND)
NET BUILDABLE AREA PROPOSED	= 0.264 acres ± (UPLAND)
AREA OF PROPOSED ROADS OR RIGHT-OF-WAYS	= 3.909 acres ±
CRITICAL AREA	= 3.645 acres ±
UPLAND AREA	= 0.264 acres ±
AREA OF PROPOSED LOTS	= 20.418 acres ± (CRITICAL)
AREA OF PAD	= 0.517 acres ± (CRITICAL)
AREA WITHIN ANY FLOODPLAIN	= 35.145 acres ±
TOTAL OPEN SPACE REQUIRED	= 28.301 acres ±
TOTAL OPEN SPACE PROVIDED	= 31.756 acres ±
MINIMUM OPEN SPACE REQUIRED	= 27.975 acres ± (CRITICAL)
MINIMUM OPEN SPACE PROVIDED	= 31.369 acres ± (CRITICAL)
MINIMUM OPEN SPACE REQUIRED	= 0.326 acres ± (UPLAND)
MINIMUM OPEN SPACE PROVIDED	= 0.387 acres ± (UPLAND)
NUMBER OF LOTS ALLOWED	= 27
NUMBER OF LOTS PROPOSED	= 18

SHORELINE COURSES & DISTANCES

LINE	DIRECTION	DISTANCE
1	S 81°13'16" W	32.37'
2	N 58°17'38" W	35.39'
3	N 34°05'12" W	49.18'
4	S 89°20'19" W	66.10'
5	N 77°38'44" W	20.52'
6	N 22°35'12" W	90.89'
7	N 25°10'37" W	75.68'
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10	N 75°04'07" W	77.83'
11	N 68°11'55" W	26.93'
12	N 36°52'12" W	75.00'
13	N 14°02'10" W	41.23'
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27	S 85°36'05" W	65.19'
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36	N 56°18'36" E	72.11'
37	N 08°07'48" E	35.38'
38	N 47°43'35" E	148.66'
39	S 39°48'20" E	39.05'
40	N 44°01'44" E	41.73'
41	N 00°00'00" E	30.00'
42	N 46°10'18" W	40.31'
43	N 20°18'23" E	28.79'
44	N 73°04'21" E	24.04'
45	N 79°59'31" E	17.26'
46	N 33°41'24" E	18.03'
47	N 90°00'00" W	25.00'
48	N 60°15'18" W	40.31'
49	N 79°41'43" W	55.90'
50	N 49°23'55" W	46.10'
51	N 05°42'38" W	50.25'
52	N 32°28'16" W	65.19'
53	N 29°44'42" W	40.31'
54	N 51°20'25" W	64.03'
55	N 56°18'36" W	72.11'
56	N 33°41'24" W	72.11'
57	N 26°33'54" W	111.80'
58	N 02°26'05" E	11.87'
59	N 17°54'36" E	41.00'
60	N 53°19'04" E	49.55'
61	N 77°34'57" E	100.80'
62	S 89°04'08" E	54.77'
63	N 66°41'54" E	143.10'
64	N 67°00'31" E	73.83'
65	N 78°43'57" E	59.86'
66	N 84°04'57" E	88.58'
67	N 28°00'00" E	49.48'
68	S 82°57'32" E	118.48'
69	S 77°57'09" E	83.03'
70	S 60°20'00" E	181.84'
71	S 40°01'49" E	65.30'
72	S 25°20'46" E	105.12'
73	S 35°32'16" E	129.04'
74	S 39°05'38" E	103.08'
75	S 71°33'54" E	47.43'
76	S 79°52'51" E	28.44'
77	S 46°17'43" E	65.07'
78	N 13°02'41" E	21.42'

LOT AREAS

LOT #	GROSS AREA
1	0.928 AC.±
2	1.073 AC.±
3	1.107 AC.±
4	1.093 AC.±
5	1.149 AC.±
6	2.585 AC.±
7	1.566 AC.±
8	1.253 AC.±
9	1.763 AC.±
10	1.376 AC.±
11	1.130 AC.±
12	1.246 AC.±
13	1.432 AC.±
14	1.298 AC.±
15	1.419 AC.±
16	21.470 AC.±
17	6.038 AC.±
18	4.765 AC.±



PROPOSED OPEN SPACE/ENVIRONMENTAL EASEMENT AREA SHOWN INCLUDES ENVIRONMENTAL EASEMENTS ON LOTS

TOTAL AREA OF OPEN SPACE = 9.036 AC.± EXCLUDES AFFORESTATION AND ENVIRONMENTAL EASEMENTS

TOTAL AREA OF ENVIRONMENTAL EASEMENT = 34.676 AC.±

TOTAL AREA OF PROPOSED AFFORESTATION = 4.529 AC.±

SHORE BUFFER AFFORESTATION

TOTAL AREA OF 100' SHORE BUFFER = 10.676 AC.±
50% OF 100' SHORE BUFFER = 5.338 AC.±
TOTAL AREA OF FOREST IN 100' SHORE BUFFER = 7.578 AC.±
PERCENTAGE OF FOREST COVER IN 100' SHORE BUFFER = 71%
REQUIRED SHORE BUFFER AFFORESTATION = 0.000 AC.±

CRITICAL AREA FOREST REQUIREMENTS

GROSS CRITICAL AREA = 55.949 AC.±
15% OF CRITICAL AREA = 8.392 AC.±
TOTAL AREA OF FOREST IN CRITICAL AREA = 25.165 AC.±
PERCENTAGE OF FOREST COVER IN CRITICAL AREA = 45%
AREA OF FORESTED TO BE CLEARED = 0.560 AC.±
AREA OF PROPOSED REFORESTATION = 0.560 AC.±

DATE	JUNE '98	SCALE	1" = 200'
JOB NO.	D1940198	DRAWN BY	J. MOORE
FOLDER REF	1740	DESIGNED BY	
		APPROVED BY	D. JOINER
DATE	12-17-98	REVISION	PER STAC COMMENTS
	1-6-99	REVISION	REVISED OPEN SPACE
	2-12-99	REVISION	PER STAC COMMENTS

McCRONE

ENGINEERING □ ENVIRONMENTAL SCIENCES
LAND PLANNING & SURVEYING □ CONSTRUCTION SERVICES

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(410) 758-2237

ANNAPOLIS-CENTREVILLE-ELKTON-SALISBURY-SOUTHERN MARYLAND

MAJOR SUBDIVISION

FOR
HOMEPORT
ON

WINCHESTER CREEK

TAX MAP 58, BLOCK 10, 11, 16 & 17 PARCEL 11

FIFTH ELECTION DISTRICT, QUEEN ANNE'S COUNTY, MARYLAND

PREPARED FOR: WINCHESTER CREEK LIMITED PARTNERSHIP



SHEET NO. — 3 OF 6

CADD FILE — 94198-03