

SM 79-04  
SUB

Gardiner's Place  
04-120-008

MSA.S-1829-4325

Due 03/05 or 3/15

Martin O'Malley  
Governor



Anthony G. Brown  
Lt. Governor

Margaret G. McHale  
Chair

Ren Serey  
Executive Director

**STATE OF MARYLAND  
CRITICAL AREA COMMISSION  
CHESAPEAKE AND ATLANTIC COASTAL BAYS**

1804 West Street, Suite 100, Annapolis, Maryland 21401  
(410) 260-3460 Fax: (410) 974-5338  
[www.dnr.state.md.us/criticalarea/](http://www.dnr.state.md.us/criticalarea/)

July 28, 2011

Mr. Phil Shire  
St. Mary's County Government  
Department of Land Use and Growth Management  
P.O. Box 653  
Leonardtown, Maryland 20650

**RE: SM 79-04 Gardiner's Place Subdivision  
St. Mary's County Project: SUB 04-120-008**

Dear Mr. Shire: *Phil*

I want to thank you and your staff for arranging the meeting with Mr. Tom Watts and his consultant to discuss how to proceed with FIDS mitigation for the Gardiner's Place Subdivision. The meeting was productive, and I believe that we have several potential options to accomplish the mitigation.

At the County's request and in an effort to try to expedite the resolution of this issue, I had previously recommended that the County assess a fee-in-lieu of the required planting. In my letter dated June 17, 2011, I proposed a fee of \$0.30 per square foot, based on the provisions of the Forest Conservation Act. The fee would be based only on the area cleared for the project (8.23 acres) and would total \$107,550. Indirect impacts that are typically addressed through conserving existing FIDS habitat off-site would be addressed by placing a conservation easement on all remaining FIDS habitat on the project site, approximately 53 acres. The fees collected by the County would be held in escrow and used to either acquire land or appropriate easements and plant the required acreage, or to purchase credits in a FIDS Mitigation Bank.

There was extensive discussion a suitable FIDS planting site could be identified or a FIDS Mitigation Bank established, and the required mitigation could be accomplished for less than \$107,550. As we have discussed, Commission staff is working closely with several individuals and organizations to identify and establish a FIDS Mitigation Bank in St. Mary's County. To date, several potential sites have been identified, but negotiations are not at a point that a cost per acre can be determined.

Mr. Watts indicated that he would like to obtain a building permit for one of the lots in the subdivision immediately and potentially two additional permits within the next 60 days. It is my

Mr. Shire  
July 28, 2011  
Page 2

intention that during the next 60 days, the Commission, the County, and Mr. Watts would execute a Memorandum of Understanding (MOU) regarding the collection of a fee-in-lieu and providing that the funds be set aside for the purpose of acquiring land or appropriate easements and planting the required acreage or for an initial transaction in a FIDS Mitigation Bank pursuant to its establishment and certification by the Commission and the County.

After discussing several options, Mr. Watts indicated that he is willing to provide an initial payment, letter of credit, or surety for one-third of the proposed fee-in-lieu (\$35,850) in exchange for the issuance of three building permits and contingent upon the execution of the MOU and the continuation of efforts to identify a suitable planting site or certify a FIDS Mitigation Bank. Mr. Watts has requested that one building permit be released immediately upon payment of one-third of the initial fee-in-lieu payment, or \$11,950. As Mr. Watts has expressed his willingness to comply with the FIDS mitigation requirement, to develop and execute a MOU regarding how the requirement will be met, and to place a protective easement on the remaining FIDS habitat on the project site, Commission staff does not oppose the release of the one building permit now. Once the MOU is executed, the easement recorded, and the remaining \$23,900 paid, the remaining two permits can be issued. The MOU will include one or more options for satisfying the FIDS mitigation requirement associated with the remaining eight lots and may include an additional lump sum payment, phased payments tied to the issuance of additional permits, or the purchase of credits in a FIDS Mitigation Bank.

As stated in my previous letter, this proposal is an effort to address a difficult situation created by delays in recordation of the plat, transfers in property ownership, and the difficulty in finding suitable mitigation sites. The fee proposed for this project should not be used to establish a precedent of collecting a fee-in-lieu of FIDS mitigation or to set a fee amount. It is possible that once a FIDS Mitigation Bank is established and certified, the fee may change.

I hope the property owner will receive this proposal favorably, and the project can move forward. Commission staff will provide a draft MOU and draft FIDS conservation easement in the next two weeks. If you have any questions, please call me at (410) 260-3480.

Sincerely,



Mary R. Owens  
Education and Conservation Coordinator

cc: Butch Bailey, Nokleby Surveying, Inc.  
Yvonne Chaillet  
Kelly Palmer

Ms. Palmer

June 12, 2011

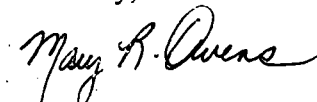
Page 2

in-lieu of planting under the provisions of the Forest Conservation Act is set at \$0.30 per square foot. I would propose that this fee be used to assess a fee-in-lieu of the required planting (8.23 acres), and the applicant be required by the County to place all remaining FIDS habitat on the project site, approximately 53 acres, in a conservation easement for the protection of FIDS habitat. The Commission and the County would execute a Memorandum of Understanding (MOU) regarding the collection of the money and providing that the funds be set aside for the purpose of an initial transaction in a FIDS Mitigation Bank pursuant to its establishment and certification by the Commission and the County.

I want to make clear that this proposal is an effort to address a difficult situation created by delays in recordation of the plat, transfers in property ownership, and the difficulty in finding suitable mitigation sites. The fee proposed for this project should not be used to establish a precedent of collecting a fee-in-lieu of FIDS mitigation or to set a fee amount. It is likely that once a FIDS Mitigation Bank is established and certified, the fee may be higher.

I hope the property owner will receive this proposal favorably, and the project can move forward. Commission staff can provide a draft MOU and draft FIDS conservation easement in the next several weeks. If you have any questions about this proposal or would like to discuss it in more detail, please call me at (410) 260-3480.

Sincerely,



Mary R. Owens

Education and Conservation Coordinator

Martin O'Malley  
Governor

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June 17, 2011

Ms. Kelly Palmer  
St. Mary's County Government  
Department of Land Use and Growth Management  
P.O. Box 653  
Leonardtown, Maryland 20650

**RE: SM-79-04 Gardiner's Place Subdivision  
St. Mary's County Project: SUB 04-120-008**

Dear Ms. Palmer:

I am writing to follow up on several recent meetings and phone calls regarding the development of the Gardiner's Place Subdivision. You have requested clarification regarding the FIDS mitigation requirement for this project. I have attached a copy of a letter from Ren Serey to Derick Berlage that provides the background and history of the project this project.

Commission staff has worked with County staff and the applicant's consultant to review the FIDS habitat impact plan and calculations. In order to fully comply with the Critical Area Commission's publication, *A Guide to the Conservation of Forest Interior Dwelling Birds in the Chesapeake Bay Critical Area*, there are two mitigation alternatives: planting 44.49 acres of FIDS habitat; or planting 8.23 acres of FIDS habitat and placing a conservation easement on an additional 72.52 acres of existing FIDS habitat. FIDS mitigation must meet specific requirements. For either option, a selected mitigation area must result in a block of protected forest of approximately 100 acres, and any existing forest must meet certain age and species parameters determined by the Heritage Division of the Department of Natural Resources. Adjacency to forested areas with existing conservation easements or conservation ownership (e.g. owned by The Nature Conservancy or the Department of Natural Resources) can often be used to meet the minimum 100 acre threshold.

As we have discussed, Commission staff is working closely with several individuals and organizations to identify and establish a FIDS Mitigation Bank in St. Mary's County. To date, several potential sites have been identified, but further analysis will be necessary. Based on my recent conversation with you, Phil Shire, and Derick Berlage, it is my understanding that the applicant is extremely anxious to move forward and would like to explore other alternatives. I have performed some additional research about a potential fee-in-lieu. The State-determined fee-

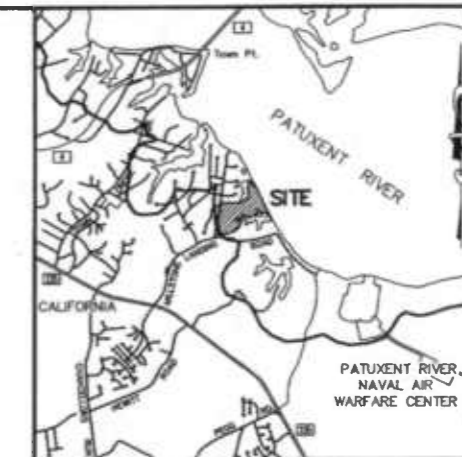
ST. MARY'S COUNTY DEPT. OF PUBLIC WORKS + TRANSPORTATION  
PWA-412/05 CP.1705-001  
12-3-08

ST. MARY'S COUNTY DEPT. OF LAND USE + GROWTH MANAGEMENT  
APPROVAL DATE: 12/15/08  
DIRECTOR: [Signature]

ST. MARY'S COUNTY METROPOLITAN COMMISSION  
6-14-08  
APPROVAL DATE: [Signature]

ST. MARY'S COUNTY HEALTH DEPARTMENT  
APPROVAL DATE: 7/8/08  
DIRECTOR: [Signature]

# MAJOR SUBDIVISION PLAT GARDINER'S PLACE 8th ELECTION DISTRICT ST. MARY'S COUNTY, MARYLAND



VICINITY MAP TAX MAP: 35 BLOCK: 21 SCALE: 1" = 4000' PARCEL: 42

NOTE: LOT 3 IS LIMITED TO A THREE (3) BEDROOM HOUSE.

**GENERAL NOTES (CONT'D):**

240. THE APPLICANT HAS OBTAINED A WAIVER ON MARCH 9, 2006, FROM CONNECTION TO THE PUBLIC SEWER LINE AND SUBSEQUENTLY THE RESULTING PRIVATE SEWER SERVICE SHALL BE:
- APPROVED BY THE OFFICE OF ENVIRONMENTAL HEALTH AND
  - DESIGNED FOR FUTURE CONNECTION TO A PUBLIC SYSTEM WHEN THE METROPOLITAN COMMISSION DETERMINES THAT A CONNECTION IS FEASIBLE. WHEN THE PRIVATE SEWER SERVICE SHALL BE DISCONTINUED AND THE PROPERTY SHALL BE CONNECTED TO THE PUBLIC SYSTEM.

**CRITICAL AREA NOTES:**

- APPROXIMATELY 64.25 ACRES OF THIS SITE LIE WITHIN MARYLAND'S CRITICAL AREA. ANY AND ALL DEVELOPMENT ACTIVITIES PROPOSED WITHIN THIS AREA ARE SUBJECT TO CRITICAL AREA REGULATIONS AND WILL NOT BE PERMITTED UNTIL ALL APPROPRIATE LOCAL, STATE AND FEDERAL AGENCIES HAVE CONDUCTED A THOROUGH ENVIRONMENTAL REVIEW AND HAVE APPROVED THE DEVELOPMENT PLAN.
- THE 100 FOOT CRITICAL AREA BUFFER MUST REMAIN IN NATURAL VEGETATION AND MAY NOT BE DISTURBED EXCEPT AS PROVIDED UNDER CHAPTER 41 OF THE ST. MARY'S COUNTY ZONING ORDINANCE.
- NO DEVELOPMENT IS PERMITTED IN WETLANDS WITHOUT APPROVAL FROM THE APPROPRIATE LOCAL, STATE AND FEDERAL AGENCIES.
- ALL EXISTING FOREST SHOWN HEREON SHALL REMAIN UNDISTURBED EXCEPT AS PERMITTED UNDER THE PROVISIONS OF THE ST. MARY'S COUNTY ZONING ORDINANCE. ANY AND ALL AFFORESTED OR REFORESTED AREAS CREATED UNDER THE PROVISIONS OF THE ST. MARY'S COUNTY ZONING ORDINANCE AND DESIGNATED ON THIS PLAT SHALL BE PRESERVED FROM FUTURE DISTURBANCE.
- RESOURCE PROTECTION STANDARDS PER CHAPTER 71 ARE EXCEEDED BY CRITICAL AREA REGULATIONS PER CHAPTER 41.

**OWNER'S DEDICATION**

THE PLATTING OF THE FOLLOWING DESCRIBED LAND- PART OF THE PROPERTY AS CONVEYED UNTO THOMAS B. + KATHERINE D. WATTS BY A DEED DATED SEPTEMBER 22, 2003, FROM ANN LANTON KAPLAN, AS RECORDED AMONG THE LAND RECORDS OF ST. MARY'S COUNTY, MARYLAND, IN LIBER E.W.A. 2121 AT FOLIO 031; AND THE CONVEYANCE OF LANTON COURT AS SHOWN HEREON IS WITH THE FREE CONSENT AND IS IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS, MORTGAGEES, AND TRUSTEES, IF ANY: LANTON COURT AND THE 10 FOOT DEDICATION ALONG MILLSTONE LANDING ROAD (2,306 SF.) WILL BE DEDICATED FOR PUBLIC USE TO THE BOARD OF THE COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY, MARYLAND, VIA THE RECORDING OF THIS PLAT.

WE, THOMAS B. + KATHERINE D. WATTS, OWNERS OF THE PROPERTY SHOWN HEREON AND DESCRIBED IN THE SURVEYOR'S CERTIFICATE AFFIXED HERETO, HEREBY ADOPT THIS PLAN OF SUBDIVISION UPON ITS APPROVAL BY ALL REQUIRED AGENCIES.

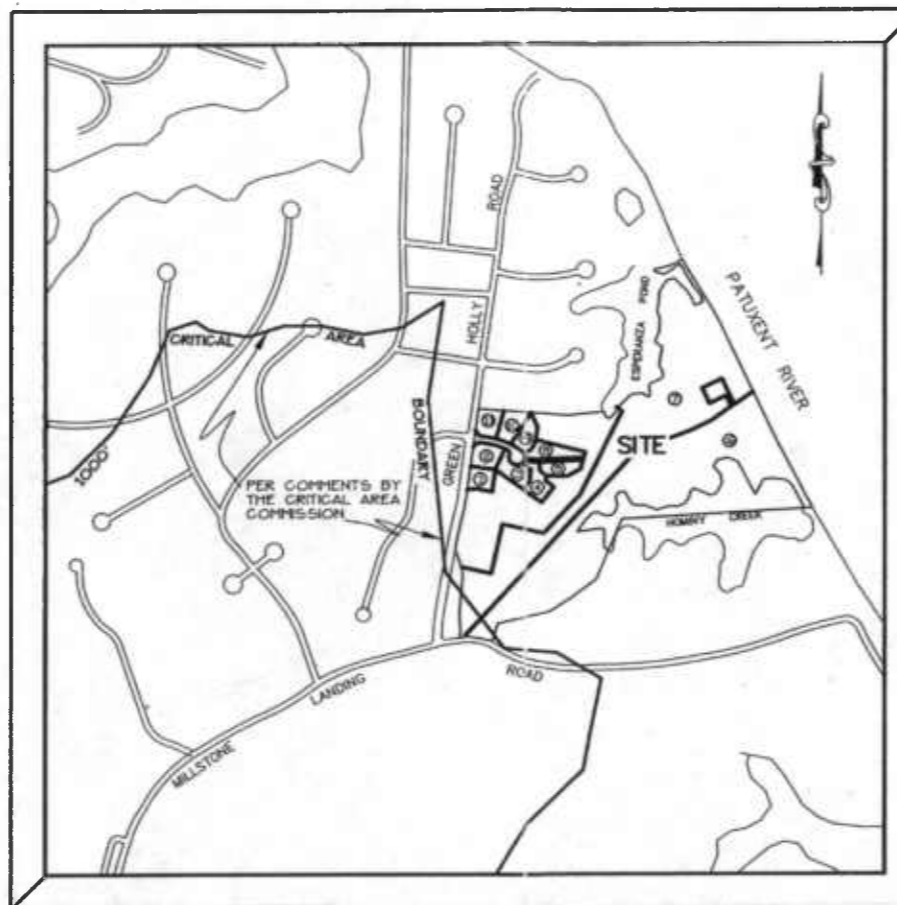
THERE ARE NO PENDING SUITS OR ACTIONS AT LAW, LEASES, LIENS, MORTGAGES OR DEEDS OF TRUST AFFECTING THIS SUBDIVISION EXCEPT AS NOTED OR SHOWN HEREON. ALL PARTIES IN INTEREST THERETO HAVE AFFIXED THEIR SIGNATURES INDICATING THEIR ASSENT TO THIS PLAN.

WE FURTHER ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES AS REQUIRED BY THE COMPREHENSIVE ZONING ORDINANCE AND DEDICATE THE STREETS, WALKWAYS, EASEMENTS, RIGHTS-OF-WAY AND OTHER IMPROVEMENTS, WHERE APPLICABLE, TO PUBLIC USE.

WE HEREBY GRANT UNTO THE ST. MARY'S COUNTY METROPOLITAN COMMISSION, ITS SUCCESSORS AND ASSIGNS, A RIGHT OF INGRESS AND EGRESS OVER, AND A PERPETUAL EASEMENT IN THE 10 FOOT WATERLINE AND/OR SEWER LINE EASEMENT (ALONG ALL LOT LINES), AS WELL AS OTHERS THAT MAY BE SHOWN HEREON, FOR CONSTRUCTION, INSTALLATION, MAINTENANCE, REPAIR, INSPECTION AND OPERATION OF PUBLIC WATER AND FUTURE SANITARY SEWER FACILITIES, SHOULD SUCH FACILITIES EVER BE INSTALLED.

THE REQUIREMENTS OF SECTION 3-108 ON THE ANNOTATED CODE OF MARYLAND (REAL PROPERTY ARTICLE) AS FAR AS IT CONCERNS THE MAKING OF THE PLAN AND SETTING OF OUR KNOWLEDGE, INFORMATION AND BELIEF.

THOMAS B. WATTS 5-21-08 DATE  
KATHERINE D. WATTS 5-22-08 DATE



LOCATION MAP SCALE: 1" = 600'

**SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THAT THE PLAT SHOWN HEREON IS CORRECT (SUBJECT TO OUR REVIEW OF A TITLE SEARCH) AND CONFORMS TO THE SPECIFICATIONS; THAT THIS IS A SUBDIVISION OF ALL OF THE PROPERTY AS CONVEYED UNTO THOMAS B. WATTS AND KATHERINE D. WATTS, BY DEED DATED SEPTEMBER 15, 2003, FROM ANN LANTON KAPLAN AND ZOE LANTON SMITH, AS RECORDED AMONG THE LAND RECORDS OF ST. MARY'S COUNTY, MARYLAND, IN LIBER E.W.A. 2121 AT FOLIO 031.

THE REQUIREMENTS OF SECTION 3-108 OF THE ANNOTATED CODE OF MARYLAND (REAL PROPERTY ARTICLE) AS FAR AS IT CONCERNS THE MAKING OF THE PLAN AND SETTING OF THE MARKERS REQUIRED THEREIN, HAVE BEEN COMPLIED WITH TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

Herbert N. Redmond, Jr.  
HERBERT N. REDMOND, JR.  
REG. MD. LAND SURVEYOR, NO. 10,665

May 23 2008 DATE

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22335 Exploration Drive  
Suite 1020  
Lexington Park, Maryland 20653  
Telephone: (301) 862-2226  
Toll Free: (800) 331-1568  
Fax: (301) 862-2350



REVISIONS:  
03-01-05 REVISED SITE AREAS RVD  
ADDRESSSED DPW + HD COMMENTS 3/28/05 RGW  
ADDRESSSED DPW COMMENTS 3/14/05 RGW  
ADDRESSSED LUH COMMENTS 3/3/07 RWS  
ADDRESSSED DPW COMMENTS 3/28/07 RGW

OWNER:  
THOMAS + KATHERINE WATTS  
46595 MILLSTONE LANDING RD.  
LEXINGTON PARK, MD 20653  
E.W.A.  
301-863-7061

DESIGN: RWS SHEET 1 OF 3  
DATE: 2/02/04 53521-0401  
SCALE: AS SHOWN SHOB-3521-042

**GENERAL NOTES:**

- TAX MAP: 35, BLOCK: 21, PARCEL: 042.
- THIS SITE CONSISTS OF A 64.54 ACRE PARCEL OF LAND.
- THIS SITE IS ZONED RL (LDA OVERLAY, PART), IN ACCORDANCE WITH COUNTY COMMISSIONER ORDINANCE NO. Z-2003-7, GARDINER'S PLACE GROWTH ALLOCATION REQUEST, RECORDED IN THE LAND RECORDS ON SEPTEMBER 8, 2003 WITH A REFERENCE OF 0027/054.
- BUILDING RESTRICTION LINES (B.R.L.) ARE AS SHOWN HEREON. THE B.R.L. ARE MAPPED IN ACCORDANCE WITH CZO 02-01 CHAP. 32.3.2 AND SCHEDULE 32.1 FOR ZONE RL AS FOLLOWS: 25' FRONT, 10' SIDE, 20' REAR. APPLIED FROM THE MORE RESTRICTIVE OF THE LOT LINES OR SENSITIVE AREAS MAPPED PER CZO 02-01 SEC. 7L.
- ALL LOTS SHOWN HEREON ARE TO BE SERVED BY INDIVIDUAL SEPTIC DISPOSAL SYSTEMS AND PUBLIC WATER.
- THIS HEALTH DEPARTMENT APPROVAL CERTIFIES THAT THE LOTS SHOWN HEREON ARE IN CONSONANCE WITH PERTINENT HEALTH DEPARTMENT LAWS AND REGULATIONS AS OF THE APPROVAL DATE; HOWEVER, THIS APPROVAL IS SUBJECT TO CHANGES IN SUCH LAWS AND REGULATIONS, CHANGES IN TOPOGRAPHY OR SITE DESIGNATIONS MAY VOID THIS APPROVAL. THE DESIGNATED PERG AREAS ARE THE ONLY PERG AREAS APPROVED BY THE ST. MARY'S COUNTY HEALTH DEPARTMENT FOR SEWAGE DISPOSAL PURPOSES. THE APPROVED LOTS INCLUDE APPROVED AREAS OF AT LEAST 10,000 S.F. FOR SEWAGE DISPOSAL PURPOSES AS REQUIRED BY CURRENT MARYLAND STATE HEALTH DEPARTMENT LAW. IMPROVEMENTS OF ANY OTHER NATURE, INCLUDING BUT NOT LIMITED TO THE INSTALLATION OF OTHER UTILITIES IN THESE AREAS, MAY RENDER THE LOTS UNDEVELOPABLE. TO DETERMINE THE EXACT AREA OF THE LOTS APPROVED FOR SEWAGE DISPOSAL PURPOSES, OR TO ESTABLISH A DIFFERENT AREA FOR SUCH PURPOSES, YOU MUST CONTACT ST. MARY'S COUNTY HEALTH DEPARTMENT, OFFICE OF ENVIRONMENTAL HEALTH.
- THIS SUBDIVISION IS IN COMPLIANCE WITH THE ST. MARY'S COUNTY COMPREHENSIVE WATER + SEWERAGE PLAN.
- THERE SHALL BE A 10 FOOT UTILITY EASEMENT ALONG ALL LOT LINES. THESE EASEMENTS ARE TO INCLUDE USE BY ST. MARY'S COUNTY METROPOLITAN COMMISSION, ITS SUCCESSORS AND ASSIGNS, FOR CONSTRUCTION, INSTALLATION, MAINTENANCE, REPAIR, INSPECTION AND OPERATION OF PUBLIC WATER FACILITIES AND ANY FUTURE PUBLIC SEWER FACILITIES.
- CAUTION THE 20' ACCESS EASEMENT KNOWN AS LANTON LANE SHOWN HEREON MAY NOT NECESSARILY PROVIDE ACCESS FROM THESE LOTS TO A COUNTY OR STATE ROAD AT THIS THE ROAD + UTILITY CONSTRUCTION AND MAINTENANCE ARE THE RESPONSIBILITY OF THE BUTERS OF THESE LOTS UNLESS OTHERWISE PROVIDED HEREIN.
- WATER AND SEWERAGE PLAN CATEGORIES ARE AS FOLLOWS: (W - 3D) (S - G).
- NO FURTHER SUBDIVISION OF THIS PROPERTY SHALL BE ALLOWED.
- LOTS 2 - 11 ARE TO BE ACCESSED BY THE PROPOSED PUBLIC 45 FOOT RIGHT-OF-WAY KNOWN AS LANTON COURT AS SHOWN ON THIS PLAT. LOT 1 WILL BE SERVED BY THE EXISTING ENTRANCE ONTO GREEN HOLLY ROAD. PUBLIC ROADS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE LATEST STANDARDS OF THE ST. MARY'S COUNTY COUNTY DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION.
- LOTS 5, 6 + 7 ARE TO BE ACCESSED BY THE 20' ACCESS + UTILITY EASEMENT KNOWN AS LANTON WAY AS SHOWN ON THIS PLAT. LOTS ARE TO BE SERVED BY AN R-20' MULTIPLE DRIVEWAY ENTRANCE FROM THE ST. MARY'S COUNTY ROAD ORDINANCE. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE INSTALLATION/CONSTRUCTION OF THE ENTRANCE PRIOR TO THE RECORDING OF THIS PLAT.
- THE 20' ACCESS EASEMENT SHOWN HEREON AS DEFINED IN THE ST. MARY'S COUNTY ZONING ORDINANCE, IN PRIVATE AND SHALL NOT BE MAINTAINED BY THE COUNTY, NOR SHALL IT BE CONSIDERED FOR ACCEPTANCE INTO THE COUNTY ROAD MAINTENANCE SYSTEM UNIT. IMPROVED TO THE APPROPRIATE COUNTY ROAD STANDARD AT THE INDIVIDUAL LOT OWNER'S EXPENSE.
- THE LOTS SHOWN HEREON CONTAIN AT LEAST A MINIMUM 20,000 S.F. AREA WHICH DOES NOT INCLUDE RIGHTS-OF-WAY (EXISTING OR PROPOSED), 50 YEAR FLOOD PLANS OR +25% GRADES.
- THERE ARE NO EXISTING WELLS, SEPTIC SYSTEMS, OR APPROVED SEWAGE EASEMENTS WITHIN 100 FEET OF THE PROPOSED SEPTIC SYSTEMS.
- PREPARE ADDRESSES SHOWN AS THIS: ○
- PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR LOTS 6 + 7 SHOWN HEREON, STORMWATER MANAGEMENT AND OVERLOT GRADINGS SHALL BE PROVIDED IN ACCORDANCE WITH THE STORMWATER MANAGEMENT, GRADING, EROSION AND SEDIMENT CONTROL ORDINANCE. INDIVIDUAL BUILDING PERMITS REQUIRE DPW APPROVAL TO ASSURE COMPLIANCE WITH THE PLANS ON FILE AT DPW.
- MINIMUM LOT SIZE: 0.64 ACRES - AVERAGE LOT SIZE: 5.91 ACRES.
- THE 100-YEAR FLOOD PLAN AS SHOWN HEREON WAS DERIVED FROM F.E.M.A. FLOOD INSURANCE RATE MAP - PANEL #240064 0007C DATED JUNE 16, 1992.
- THE IMPERVIOUS SURFACES SHALL BE LIMITED TO 15% OR LESS OF THE TOTAL AREA INSIDE THE CRITICAL AREA.
- ALL NATURAL DRAINAGE WAYS SHALL BE MAINTAINED IN A PERMANENT VEGETATIVE BUFFER AT A WIDTH OF 50 FEET OR GREATER.
- INDIVIDUAL BUILDING PERMITS WILL BE REQUIRED TO BE REVIEWED BY DPW+T FOR APPROVAL TO ENSURE COMPLIANCE WITH APPROVED PLANS ON FILE.

COORDINATE TABLE		
POINT	NORTH	EAST
A	241427.64302	1473894.44137
B	241324.94574	1474187.92639
C	241330.74483	1474091.62407
D	241375.83400	1473943.03933

**NOTE:**  
The grading easements, drainage, and stormwater management easements shown hereon are approximate. The exact limits are as shown on file at the Department of Public Works and Transportation.

THIS AREA IS TO BE INCLUDED INSIDE THE CRITICAL AREA BOUNDARY PER COMMENTS BY THE CRITICAL AREA COMMISSION  
**ESPERANZA FARMS SECTION 7**  
**RESUB. LOTS 1-5**  
**PLAT BOOK O15 PAGE O21**  
**ZONED: RNC**  
**USE: RESIDENTIAL**

CURVE TABLE				
CURVE	CHORD BEARING	CHORD DISTANCE	LENGTH	RADIUS
C3	S 68°13'07" E	257.37'	260.05'	522.50'
C4	S 73°12'20" W	87.66'	244.14'	55.00'
C5	N 21°41'42" W	33.50'	36.71'	25.00'
C6	N 73°07'09" W	155.28'	155.97'	477.50'
C7	N 83°13'43" W	97.45'	97.88'	300.33'
C8	S 83°17'41" E	103.21'	103.66'	320.33'
C9	N 79°04'31" W	62.00'	62.03'	522.50'
C10	N 69°36'31" W	110.42'	110.63'	522.50'
C11	N 58°45'07" W	87.28'	87.39'	522.50'
C12	N 39°17'51" W	27.85'	28.15'	55.00'
C13	N 10°33'39" W	26.75'	27.02'	55.00'
C14	N 13°59'42" E	20.01'	20.12'	55.00'
C15	N 38°50'55" E	27.30'	27.59'	55.00'
C16	S 53°12'18" E	105.51'	141.26'	55.00'
C17	S 65°00'49" E	20.86'	20.87'	477.50'
C18	S 74°22'16" E	134.65'	135.10'	477.50'

LINE TABLE		
LINE	BEARING	LENGTH
L14	N 07°37'04" E	624.26'
L15	S 85°51'52" E	571.39'
L16	N 83°59'08" E	315.18'
L17	S 17°24'21" E	39.70'
L18	S 63°49'56" E	30.52'
L19	N 44°11'58" E	42.83'
L20	N 29°10'02" E	51.76'
L124	N 26°14'48" E	658.19'
L125	N 52°52'39" W	50.00'
L126	S 37°25'46" E	63.59'
L127	S 82°28'36" E	54.96'
L128	N 82°28'36" W	55.00'
L129	S 52°35'39" W	63.72'
L130	S 24°30'04" E	113.14'
L131	S 08°52'54" W	114.55'
L132	S 31°44'07" W	49.72'
L133	S 59°17'51" W	59.53'
L134	S 76°28'21" E	358.66'
L135	S 14°12'41" W	39.97'
L136	S 87°26'05" W	319.02'
L137	N 87°26'05" E	312.99'
L138	S 14°12'41" W	61.79'
L139	S 60°56'10" W	104.39'
L140	N 90°00'00" E	149.80'
L141	S 49°44'03" E	58.16'
L142	S 03°25'26" E	59.49'
L143	S 52°25'07" E	72.54'
L144	S 38°05'34" W	74.35'
L145	S 05°11'58" W	82.93'
L146	S 58°20'04" E	78.99'
L147	S 07°34'47" E	35.00'
L148	N 36°05'34" W	8.00'

SIGHT DISTANCE EASEMENT ENCROACHMENTS WITHIN THIS AREA ARE PROHIBITED.

PER PLAT BOOK E.W.A. 50 PAGE 119

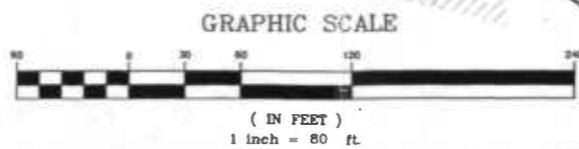
PER PLAT REFERENCE 21 • 84

TO MILLSTONE LANDING ROAD (C 60' R.O.W.)

REGULATION OF ACTIVITIES IN FWS HABITAT (CRITICAL AREA)

1. APPLICANTS FOR PROJECTS IN THE CRITICAL AREA ARE REQUIRED TO USE AND FOLLOW THE GUIDANCE PUBLICATION OF FOREST INTERIOR DWELLING BIRDS ADOPTED BY THE CHESAPEAKE BAY CRITICAL AREA COMMISSION IN JUNE 2000, AS AMENDED.
2. ACTIVITIES HAVING AN ADVERSE IMPACT UPON HABITATS REGULATED UNDER THIS CHAPTER (E.G., USE OF OFF-ROAD VEHICLES, INTENSIVE PUBLIC USE, VEHICLES, INTENSIVE PUBLIC USE, TIMBER HARVESTING, OR DEVELOPMENT ACTIVITIES) SHALL BE MINIMIZED DURING THE APR.-AUG. BREEDING SEASON.
3. UNAVOIDABLE DEVELOPMENT ACTIVITIES OR OTHER DISTURBANCES DURING THE APR.-AUG. BREEDING SEASON SHALL BE FOCUSED ON THE PERIPHERY OF THE AREA (I.E., ROADS, UTILITY LINES, CORRIDORS, AND STRUCTURES).
4. CONTINUOUS COVER OF BRANCHES + FOLIAGE FORMED BY THE CROWNS OF ADJACENT TREES (FOREST CANOPY) AND TREES AND SHRUBS UNDERNEATH THE CANOPY (UNDERSTORY VEGETATION) SHOULD BE RETAINED, INsofar AS IS PRACTICAL.
5. STANDING DEAD TREES (SNAG TREES) SHOULD BE RETAINED FOR THEIR VALUE AS BIRD NESTING AND FEEDING HABITAT INsofar AS POSSIBLE.
6. THE CREATION OF SMALL CLEARINGS THAT RESULT IN ADDITIONAL FOREST EDGE HABITAT SHOULD BE MINIMIZED.
7. WHERE FOREST MUST BE CLEARED, THE CLEARED FOREST SHOULD BE ALLOWED OR ENCOURAGED TO RETURN TO NATIVE VEGETATION.
8. DISTURBANCES ADJACENT TO OR NEAR THE MARYLAND GREEN INFRA-STRUCTURE NETWORK AS PREPARED BY THE DEPARTMENT OF NATURAL RESOURCES IN THE COUNTY SHOULD BE MINIMIZED INsofar AS POSSIBLE.

*George A. Graham*  
12-3-08



COMMUNITY ACCESS 3' - 6' WIDE PATHWAY

125' CRITICAL AREA BUFFER

OPEN SPACE 10.868 ACS\*

WATERS

LANYON LANE

20' ACCESS + UTILITY EASEMENT

OPEN SPACE 10.868 ACS\*

WATERS

OPEN SPACE 10.868 ACS\*

PERC TEST SITE SATISFACTORY

PERC TEST SITE UNSATISFACTORY

UTILITY EASEMENT

LEGEND

STREET TREE  
ALTERNATE RED MAPLE + WHITE OAK

+15% SLOPES  
+25% SLOPES

FLOODPLAIN LINE  
TIDAL WETLANDS  
NON-TIDAL WETLANDS  
SOILS DIVIDE  
CRITICAL AREA BUFFER  
EXPANDED CRITICAL AREA BUFFER  
PERC TEST SITE SATISFACTORY  
PERC TEST SITE UNSATISFACTORY  
UTILITY EASEMENT

MAJOR SUBDIVISION PLAT  
**LOTS 1-5, AND 8-11**  
**GARDINER'S PLACE**  
 8th ELECTION DISTRICT  
 ST. MARY'S COUNTY, MARYLAND

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 (Metro): (301) 870-3253  
 Fax: (301) 884-3295



REVISIONS:  
 ADDRESSED DFP & HD COMMENTS 3/29/05 NEW  
 ADDRESSED DFP COMMENTS 5/9/05 NEW  
 ADDRESSED COMMENTS 1/23/06 REV  
 ADDRESSED DFP COMMENTS 1/28/07 REV

OWNER:  
 THOMAS B. + KATHERINE D. WATTS  
 46595 MILLSTONE LANDING RD.  
 LEXINGTON PARK, MD. 20653  
 E.W.A. 2121-031  
 301-863-7061

DESIGN:  
 RVB SHEET 2 OF 3  
 DATE: 02-23-05 S 3521-0101  
 SCALE: 1" = 60' SMOB-3521-042

P159043 MSA SSU 1252 9200 LUGM #04-120-008



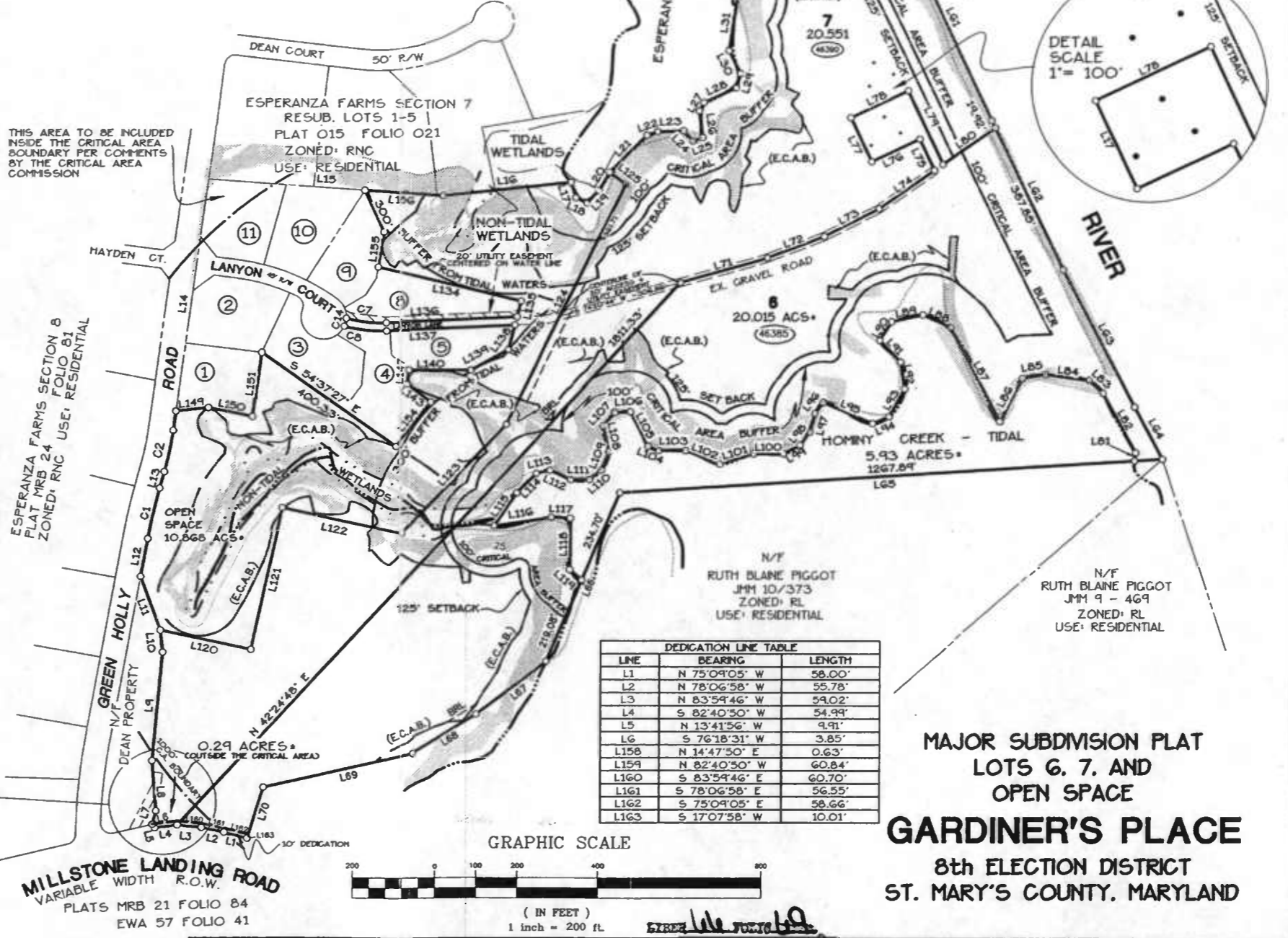
Maryland State Archives

LINE TABLE			LINE TABLE		
LINE	BEARING	LENGTH	LINE	BEARING	LENGTH
L1	N 75°09'05" W	58.00'	L73	N 62°56'47" E	150.00'
L2	N 78°06'58" W	55.78'	L74	N 54°58'20" E	165.12'
L3	N 83°59'46" W	54.02'	L75	N 25°20'49" W	85.16'
L4	S 82°40'50" W	54.99'	L76	S 64°39'11" W	130.00'
L5	N 13°41'56" W	9.91'	L77	N 25°20'49" W	120.00'
L6	S 76°18'31" W	3.85'	L78	N 64°39'11" E	155.00'
L7	N 14°47'50" E	34.09'	L79	S 25°20'49" E	200.90'
L8	N 04°29'31" W	123.71'	L80	S 54°58'20" W	157.08'
L9	N 05°17'37" E	269.90'	L81	N 07°46'58" E	20.17'
L10	N 06°03'00" W	54.39'	L82	N 28°46'05" W	166.99'
L11	N 20°06'41" W	141.01'	L83	N 47°44'32" W	47.29'
L12	N 10°09'44" E	95.68'	L84	N 82°36'14" W	108.04'
L13	N 15°20'24" E	42.16'	L85	S 80°24'52" W	56.32'
L14	N 07°37'04" E	624.26'	L86	S 27°16'10" W	114.18'
L15	S 85°51'52" E	571.39'	L87	N 27°49'21" W	261.51'
L16	N 83°59'08" E	315.18'	L88	N 66°11'55" W	75.06'
L17	S 17°24'21" E	34.70'	L89	S 77°40'47" W	78.08'
L18	S 63°49'56" E	30.52'	L90	S 32°30'51" W	53.95'
L19	N 44°11'58" E	42.83'	L91	S 43°31'47" E	74.21'
L20	N 29°10'02" E	51.76'	L92	S 08°54'40" E	66.72'
L21	N 45°04'41" E	129.63'	L93	S 29°09'53" W	77.81'
L22	N 71°12'07" E	27.75'	L94	S 67°16'41" W	43.49'
L23	N 88°08'37" E	63.27'	L95	N 66°44'17" W	130.94'
L24	S 42°52'47" E	34.34'	L96	S 37°36'41" W	34.21'
L25	N 69°46'20" E	25.25'	L97	S 14°58'05" W	47.10'
L26	N 07°28'53" W	65.85'	L98	S 37°36'22" W	40.92'
L27	N 29°03'41" E	23.54'	L99	S 61°48'12" W	45.09'
L28	N 65°31'18" E	86.52'	L100	S 89°35'25" W	77.74'
L29	N 15°14'25" E	36.39'	L101	S 72°57'58" W	86.34'
L30	N 26°39'42" W	63.29'	L102	N 68°17'47" W	89.86'
L31	N 08°46'56" E	131.90'	L103	N 89°56'12" W	66.05'
L32	N 54°26'47" W	59.79'	L104	N 67°55'50" W	27.77'
L33	N 12°31'07" E	20.54'	L105	N 27°32'23" W	95.67'
L34	N 26°09'50" E	52.06'	L106	S 87°05'31" W	38.27'
L35	N 04°42'44" E	90.14'	L107	S 41°23'09" W	43.84'
L36	N 16°50'09" W	69.65'	L108	S 12°35'41" E	64.58'
L37	N 12°30'19" E	50.90'	L109	S 20°51'35" W	49.39'
L38	N 02°36'40" E	78.38'	L110	S 50°24'34" W	36.50'
L39	N 29°03'00" E	60.91'	L111	N 89°40'36" W	46.94'
L40	N 37°50'05" E	42.50'	L112	N 65°44'31" W	54.86'
L41	N 74°11'43" E	49.64'	L113	S 77°42'58" W	36.19'
L42	S 45°35'36" E	111.07'	L114	S 45°00'18" W	67.17'
L43	S 37°08'08" E	63.98'	L115	S 34°02'11" W	98.72'
L44	S 22°37'12" E	69.12'	L116	N 81°38'35" E	143.27'
L45	N 69°51'46" E	54.28'	L117	S 88°00'19" E	46.04'
L46	N 01°00'56" W	41.52'	L118	S 00°19'40" W	127.50'
L47	N 38°25'09" W	102.12'	L119	S 48°51'32" E	38.96'
L48	N 30°06'05" W	178.64'	L120	S 77°46'18" E	224.57'
L49	S 53°02'56" W	75.46'	L121	N 12°13'42" E	357.14'
L50	S 61°48'42" W	62.39'	L122	S 77°46'18" E	247.12'
L51	N 72°55'07" W	63.63'	L123	N 43°06'52" E	368.79'
L52	N 20°30'20" W	14.86'	L124	N 26°14'48" E	658.19'
L53	N 76°10'49" E	16.16'	L125	N 52°52'39" W	50.00'
L54	N 74°56'32" E	70.89'	L130	S 24°30'04" E	113.14'
L55	N 72°58'06" E	65.97'	L134	S 76°28'21" E	358.66'
L56	N 55°48'58" E	48.51'	L135	S 14°12'41" W	39.97'
L57	N 76°32'59" E	12.84'	L136	N 87°26'05" E	319.02'
L58	S 27°33'24" E	38.11'	L137	N 87°26'05" E	312.99'
L59	S 30°46'08" E	302.75'	L138	S 14°12'41" W	61.79'
L60	S 30°32'42" E	160.13'	L139	N 60°56'10" E	104.39'
L61	S 25°25'29" E	541.00'	L140	N 90°00'00" E	149.80'
L62	S 25°31'01" E	407.78'	L143	S 52°25'07" E	72.54'
L63	S 27°47'07" E	380.16'	L147	S 07°34'47" E	35.00'
L64	S 28°04'53" E	145.73'	L148	N 36°05'34" W	8.00'
L65	S 86°23'19" W	1336.62'	L149	S 83°31'39" W	79.44'
L66	S 23°13'04" W	453.78'	L150	N 77°51'28" W	109.90'
L67	S 52°50'25" W	215.84'	L151	N 07°38'53" E	160.00'
L68	S 58°13'40" W	181.14'	L154	S 38°01'19" W	138.01'
L69	S 76°54'59" W	372.19'	L155	S 08°52'54" W	87.77'
L70	S 17°07'58" W	131.61'	L156	N 85°51'52" W	191.45'
L71	N 74°20'44" E	224.72'	L157	N 07°37'04" E	48.30'
L72	N 69°15'42" E	150.00'			

TOTAL TRACT AREA	64.54 ACRES
TOTAL AREA WITHIN CRITICAL AREA	64.25 ACRES
TOTAL AREA OUTSIDE CRITICAL AREA	0.29 ACRES
TOTAL FAST LAND IN CRITICAL AREA	58.88 ACRES
TOTAL AREA OF DEVELOPMENT ENVELOPE	7.17 ACRES
TOTAL AREA OF DEVELOPMENT ENVELOPE IN CRITICAL AREA	7.17 ACRES
TOTAL AREA INSIDE HONEY CREEK	5.93 ACRES
TOTAL AREA IN NON-TIDAL WETLANDS	1.38 ACRES
TOTAL AREA FORESTED	52.33 ACRES

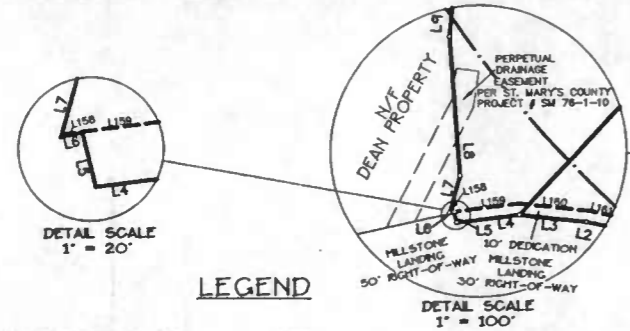
CURVE TABLE				
CURVE	CHORD BEARING	CHORD DISTANCE	LENGTH	RADIUS
C1	N 12°45'04" E	127.26'	127.30'	1407.56'
C2	N 11°28'44" E	103.83'	103.91'	770.84'
C7	S 83°13'43" E	97.45'	97.88'	300.33'
C8	S 83°17'41" E	103.21'	103.66'	320.33'
C14	N 13°59'42" E	20.01'	20.12'	55.00'

THIS AREA TO BE INCLUDED INSIDE THE CRITICAL AREA BOUNDARY PER COMMENTS BY THE CRITICAL AREA COMMISSION



DEDICATION LINE TABLE		
LINE	BEARING	LENGTH
L1	N 75°09'05" W	58.00'
L2	N 78°06'58" W	55.78'
L3	N 83°59'46" W	54.02'
L4	S 82°40'50" W	54.99'
L5	N 13°41'56" W	9.91'
L6	S 76°18'31" W	3.85'
L158	N 14°47'50" E	0.63'
L159	N 82°40'50" W	60.84'
L160	S 83°59'46" E	60.70'
L161	S 78°06'58" E	56.55'
L162	S 75°09'05" E	58.66'
L163	S 17°07'58" W	10.01'

**MAJOR SUBDIVISION PLAT**  
**LOTS 6, 7, AND**  
**OPEN SPACE**  
**GARDINER'S PLACE**  
 8th ELECTION DISTRICT  
 ST. MARY'S COUNTY, MARYLAND



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 Fax: (301) 862-2350



REVISIONS:  
 ADDRESSED DPH & HD COMMENTS 3/29/05 NEW  
 ADDRESSED DPH COMMENTS 5/9/05 NEW  
 ADDRESSED COMMENTS 1/23/06 NEW  
 ADDRESSED DPH COMMENTS 3/26/07 NEW

OWNER:  
 THOMAS + KATHERINE WATTS  
 46595 MILLSTONE LANDING RD.  
 LEXINGTON PARK, MD. 20653  
 E.W.A. 2121-031  
 301-863-7061

DESIGN: RVB  
 SHEET: 3 OF 3

DRAWN: RVB  
 DATE: 02-17-05  
 NUMBER: S3521-0701

CHECKED: SCALE: 1" = 200'  
 NUMBER: S408-3521-042



LINE TABLE					
LINE	BEARING	LENGTH	LINE	BEARING	LENGTH
L1	S75°09'05"E	58.66	L40	N76°10'49"E	16.16
L2	S78°06'58"E	56.55	L41	N74°56'32"E	70.89
L3	S83°59'46"E	60.70	L42	N72°58'06"E	65.97
L4	N82°40'50"E	55.87	L43	N55°48'58"E	48.51
L5	S76°18'31"W	5.24	L44	N76°32'59"E	12.84
L6	N14°47'50"E	34.04	L45	S27°33'24"E	38.11
L7	N06°03'00"W	54.39	L46	S86°23'19"W	68.73
L8	N15°20'24"E	42.16	L47	S07°46'58"W	20.17
L9	S17°24'21"E	39.70	L48	S47°44'32"E	47.29
L10	S63°49'56"E	30.52	L49	S82°36'14"E	108.04
L11	N44°11'58"E	42.83	L50	N80°24'52"E	56.32
L12	N29°10'02"E	51.76	L51	S66°11'55"E	78.06
L13	N71°12'07"E	27.75	L52	N77°40'47"E	78.08
L14	N88°08'37"E	63.27	L53	N32°30'51"E	53.95
L15	S42°52'47"E	34.34	L54	N43°31'47"W	74.21
L16	N69°46'20"E	25.25	L55	N08°54'40"W	66.72
L17	N07°28'53"W	65.85	L56	N29°09'53"E	77.81
L18	N29°03'41"E	23.54	L57	N67°16'41"E	43.49
L19	N65°31'18"E	86.52	L58	N37°36'41"E	34.21
L20	N15°14'25"E	36.39	L59	N14°58'05"E	47.10
L21	N26°39'42"W	63.29	L60	N37°36'22"E	40.92
L22	N54°26'47"W	59.79	L61	N61°48'12"E	49.09
L23	N12°31'07"E	20.54	L62	N89°35'25"E	77.74
L24	N26°09'50"E	32.06	L63	N72°37'58"E	86.34
L25	N04°42'44"E	40.19	L64	S68°17'47"E	89.86
L26	N16°50'09"W	69.65	L65	S89°56'12"E	66.05
L27	N12°30'19"E	50.90	L66	S67°55'50"E	27.77
L28	N02°36'40"E	78.38	L67	N87°05'31"E	38.27
L29	N29°03'00"E	60.91	L68	N41°23'09"E	43.84
L30	N37°50'05"E	42.50	L69	N12°39'41"W	64.58
L31	S74°11'43"W	49.64	L70	N20°51'35"E	49.39
L32	S37°08'08"E	63.98	L71	N50°24'34"E	36.50
L33	S22°37'12"E	69.12	L72	S89°40'36"E	46.94
L34	N69°51'46"E	54.28	L73	S65°44'31"E	54.86
L35	N01°00'56"W	41.52	L74	N77°42'58"E	36.19
L36	S93°02'56"W	75.46	L75	N45°00'18"E	67.17
L37	S61°48'42"W	62.39	L76	N34°02'11"E	48.72
L38	S72°55'07"E	63.63	L77	N88°00'19"W	46.04
L39	S20°30'20"E	14.86	L78	N48°51'32"W	38.96



PER FLAT BOOK 35 PAGE 119

AREA DISTURBED OR TO BE DISTURBED

AREA OF PROPERTY: 58.55 AC+  
 ORIGINAL AREA OF WOODS: 55.83 AC+  
 TOTAL AREA TO BE DISTURBED: 8.29 AC+  
 AREA TO BE DISTURBED >300' FROM GREEN HOLLY RD.: 5.83 AC+  
 TOTAL INTERIOR FIDS AREA IMPACTED: 9.50 AC+

INTERIOR FIDS AREA IMPACTED

**LIMITS OF DISTURBANCE**  
**GARDINER'S PLACE**  
 8th ELECTION DISTRICT  
 ST. MARY'S COUNTY, MARYLAND

LUGM #04-120-008

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Internet: www.dhsteffens.com Email: dhsteffensco@dhsteffens.com

OWNER:	THOMAS B. + KATHERINE WATTS 46595 MILLSTONE LANDING RD. LEXINGTON PARK, MD 20653		
DESIGN:	301-502-4789		
DRAWN:	RWS	SHEET 1	OF 1
CHECKED:	MNR	DATE:	10/12/10
		JOB NO.:	53521-1001
		SCALE:	1" = 100'
		FILE:	SM08-3521-042

QUALIFIED PROF. PER COMP.

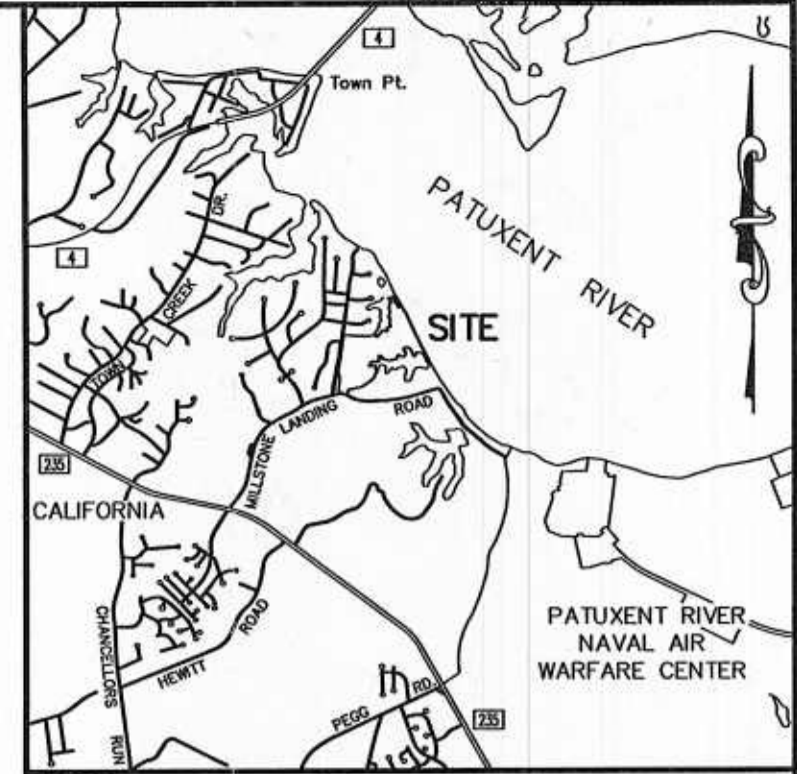
ST. MARY'S COUNTY DEPT. OF PUBLIC WORKS + TRANSPORTATION	ST. MARY'S COUNTY DEPT. OF LAND USE + GROWTH MANAGEMENT
APPROVAL DATE	APPROVAL DATE
DIRECTOR	DIRECTOR
ST. MARY'S COUNTY METROPOLITAN COMMISSION	ST. MARY'S COUNTY HEALTH DEPARTMENT
APPROVAL DATE	SANITARIAN DATE
DIRECTOR	DIRECTOR, ENVIRONMENTAL HEALTH DATE

# PRELIMINARY PLAN

## Gardiner's Place

### 8th ELECTION DISTRICT

#### ST. MARY'S COUNTY, MARYLAND



VICINITY MAP SCALE: 1" = 2000'  
TAX MAP: 35 BLOCK: 21 PARCEL: 42

NOTE: LOT 3 IS LIMITED TO A THREE (3) BEDROOM HOUSE.

**GENERAL NOTES (CONT'D):**

- 17) THERE ARE NO EXISTING WELLS, SEPTIC SYSTEMS, OR APPROVED SEWAGE EASEMENTS WITHIN 100 FEET OF THE PROPOSED WELLS AND SEPTIC SYSTEMS.
- 18) PREMISE ADDRESSES SHOWN AS THUS: ○
- 19) PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR THE LOTS SHOWN HEREON, STORMWATER MANAGEMENT AND OVERLOT GRADING SHALL BE PROVIDED IN ACCORDANCE WITH THE STORMWATER MANAGEMENT, GRADING, EROSION + SEDIMENT CONTROL ORDINANCE.
- 20) MINIMUM LOT SIZE: 0.64 ACRES - AVERAGE LOT SIZE: 5.91 ACRES.
- 21) THE 100-YEAR FLOOD PLAIN AS SHOWN HEREON WAS DERIVED FROM F.E.M.A. FLOOD INSURANCE RATE MAP - PANEL #240064 0007C DATED JUNE 16, 1992.
- 22) THE IMPERVIOUS SURFACES SHALL BE LIMITED TO 15% OR LESS OF THE TOTAL AREA INSIDE THE CRITICAL AREA.
- 23) ALL NATURAL DRAINAGE WAYS SHALL BE MAINTAINED IN A PERMANENT VEGETATIVE BUFFER AT A WIDTH OF 50 FEET OR GREATER.
- 24) NO FURTHER SUBDIVISION OF ANY PART OF THE CRITICAL AREA AS SHOWN HEREON SHALL BE PERMITTED.

**CRITICAL AREA NOTES:**

- 1) APPROXIMATELY 64.76 ACRES OF THIS SITE LIE WITHIN MARYLAND'S CRITICAL AREA. ANY AND ALL DEVELOPMENT ACTIVITIES PROPOSED WITHIN THIS AREA ARE SUBJECT TO CRITICAL AREA REGULATIONS AND WILL NOT BE PERMITTED UNTIL ALL APPROPRIATE LOCAL, STATE AND FEDERAL AGENCIES HAVE CONDUCTED A THOROUGH ENVIRONMENTAL REVIEW AND HAVE APPROVED THE DEVELOPMENT PLAN.
- 2) THE 100 FOOT CRITICAL AREA BUFFER MUST REMAIN IN NATURAL VEGETATION AND MAY NOT BE DISTURBED EXCEPT AS PROVIDED UNDER CHAPTER 41 OF THE ST. MARY'S COUNTY ZONING ORDINANCE.
- 3) NO DEVELOPMENT IS PERMITTED IN WETLANDS WITHOUT APPROVAL FROM THE APPROPRIATE LOCAL, STATE AND FEDERAL AGENCIES.
- 4) ALL EXISTING FOREST SHOWN HEREON SHALL REMAIN UNDISTURBED EXCEPT AS PERMITTED UNDER THE PROVISIONS OF THE ST. MARY'S COUNTY ZONING ORDINANCE. ANY AND ALL AFFORESTED OR REFORESTED AREAS CREATED UNDER THE PROVISIONS OF THE ST. MARY'S COUNTY ZONING ORDINANCE AND DESIGNATED ON THIS PLAT SHALL BE PRESERVED FROM FUTURE DISTURBANCE.
- 5) RESOURCE PROTECTION STANDARDS PER CHAPTER 71 ARE EXCEEDED BY CRITICAL AREA REGULATIONS PER CHAPTER 41.

**OWNER'S DEDICATION**

THE PLATTING OF THE FOLLOWING DESCRIBED LAND- PART OF THE PROPERTY AS CONVEYED UNTO THOMAS B. + KATHERINE D. WATTS BY A DEED DATED SEPTEMBER 22, 2003, FROM ANN LANYON KAPLAN, AS RECORDED AMONG THE LAND RECORDS OF ST. MARY'S COUNTY, MARYLAND, IN LIBER E.W.A. 2121 AT FOLIO 031, AND THE CONVEYANCE OF LANYON COURT AS SHOWN HEREON IS WITH THE FREE CONSENT AND IS IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS, MORTGAGEES, AND TRUSTEES, IF ANY. LANYON COURT WILL BE DEDICATED FOR PUBLIC USE TO THE BOARD OF THE COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY, MARYLAND, VIA THE RECORDING OF THIS PLAT.

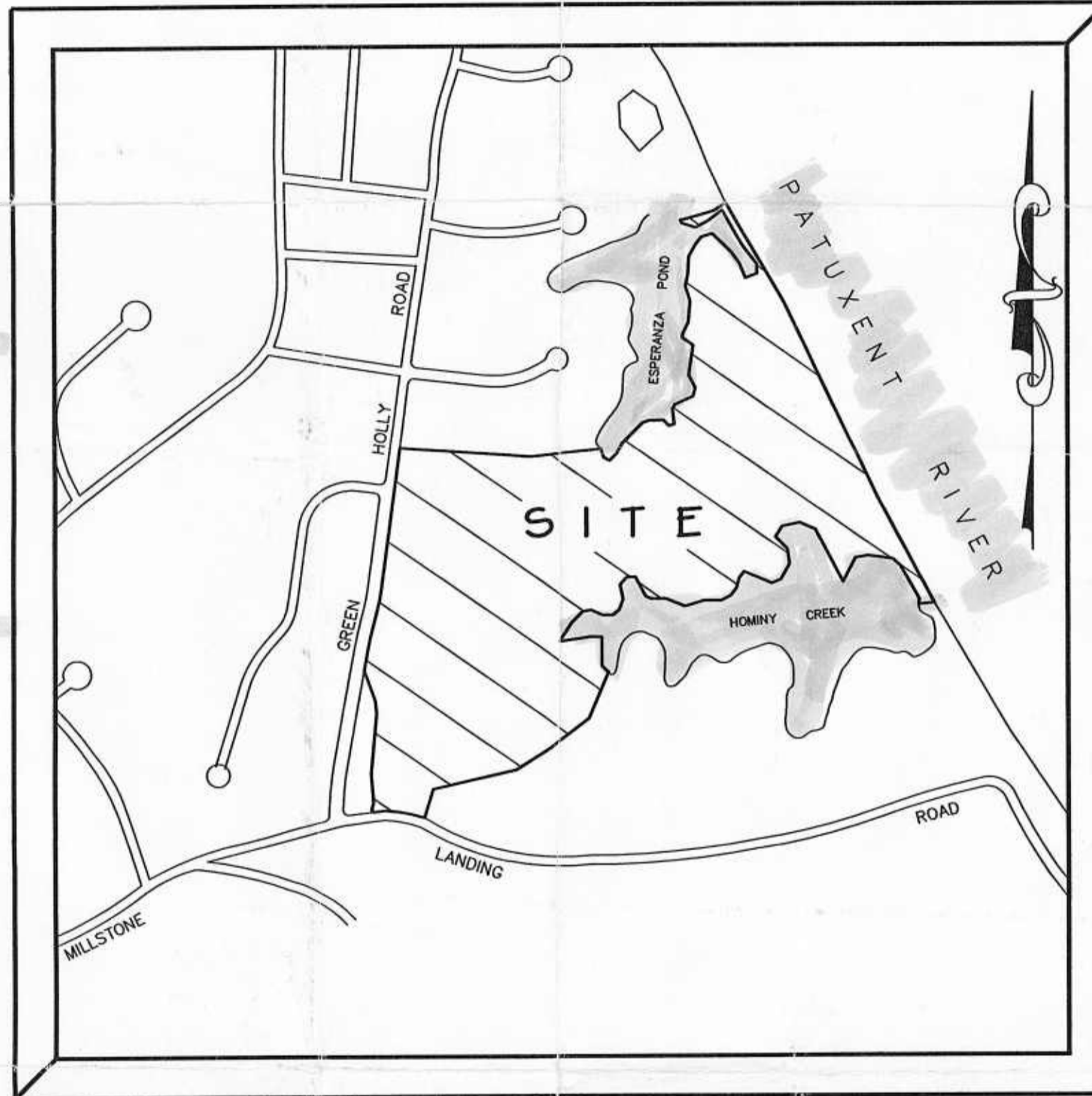
WE, THOMAS B. + KATHERINE D. WATTS, OWNERS OF THE PROPERTY SHOWN HEREON AND DESCRIBED IN THE SURVEYOR'S CERTIFICATE AFFIXED HERETO, HEREBY ADOPT THIS PLAN OF SUBDIVISION UPON ITS APPROVAL BY ALL REQUIRED AGENCIES.

THERE ARE NO PENDING SUITS OR ACTIONS AT LAW, LEASES, LIENS, MORTGAGES OR DEEDS OF TRUST AFFECTING THIS SUBDIVISION EXCEPT AS NOTED OR SHOWN HEREON. ALL PARTIES IN INTEREST THERETO HAVE AFFIXED THEIR SIGNATURES INDICATING THEIR ASSENT TO THIS PLAN.

WE FURTHER ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES AS REQUIRED BY THE COMPREHENSIVE ZONING ORDINANCE AND DEDICATE THE STREETS, WALKWAYS, EASEMENTS, RIGHTS-OF-WAY AND OTHER IMPROVEMENTS, WHERE APPLICABLE, TO PUBLIC USE.

WE HEREBY GRANT UNTO THE ST. MARY'S COUNTY METROPOLITAN COMMISSION, ITS SUCCESSORS AND ASSIGNS, A RIGHT OF INGRESS AND EGRESS, OVER, AND A PERPETUAL EASEMENT IN THE 10 FOOT WATERLINE AND/OR SEWERLINE EASEMENT ALONG ALL LOT LINES, AS WELL AS OTHERS THAT MAY BE SHOWN HEREIN, FOR CONSTRUCTION, INSTALLATION, MAINTENANCE, REPAIR, INSPECTION AND OPERATION OF PUBLIC WATER AND SANITARY SEWER FACILITIES, SHOULD SUCH FACILITIES EVER BE INSTALLED.

THE REQUIREMENTS OF SECTION 3-108 ON THE ANNOTATED CODE OF MARYLAND CREAL PROPERTY ARTICLE 4 AS FAR AS IT CONCERNS THE MAKING OF THE PLAN AND SETTING OF THE MARKERS REQUIRED THEREIN HAVE BEEN COMPLIED WITH TO THE BEST OF OUR KNOWLEDGE, INFORMATION AND BELIEF.



LOCATION MAP

SCALE: 1" = 600'

**SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THAT THE PLAT SHOWN HEREON IS CORRECT (SUBJECT TO OUR REVIEW OF A TITLE SEARCH) AND CONFORMS TO THE SPECIFICATIONS; THAT THIS IS A SUBDIVISION OF ALL OF THE PROPERTY AS CONVEYED UNTO THOMAS B. AND KATHERINE D. WATTS, BY DEED DATED SEPTEMBER 22, 2003, FROM ANN LANYON KAPLAN, AS RECORDED AMONG THE LAND RECORDS OF ST. MARY'S COUNTY, MARYLAND, IN LIBER E.W.A. 2121 AT FOLIO 031.

THE REQUIREMENTS OF SECTION 3-108 OF THE ANNOTATED CODE OF MARYLAND CREAL PROPERTY ARTICLE 4 AS FAR AS IT CONCERNS THE MAKING OF THE PLAN AND SETTING OF THE MARKERS REQUIRED THEREIN, HAVE BEEN COMPLIED WITH TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

HERBERT N. REDMOND, JR.  
REG. MD. LAND SURVEYOR, NO. 10,665

DATE

**GENERAL NOTES:**

- 1) TAX MAP: 35; BLOCK: 21; PARCEL: 042.
- 2) THIS SITE CONSISTS OF A 65.06 ACRE PARCEL OF LAND.
- 3) THIS SITE IS ZONED RL CRCA, PARTD.
- 4) BUILDING RESTRICTION LINES (B.R.L.) ARE AS SHOWN HEREON. THE B.R.L. ARE MAPPED IN ACCORDANCE WITH CZO 02-01, CHAP. 32.3.2 AND SCHEDULE 32.1 FOR ZONE RL AS FOLLOWS: 25' FRONT; SIDE: 10'; REAR: 20'; APPLIED FROM THE MORE RESTRICTIVE OF THE LOT LINES OR SENSITIVE AREAS MAPPED PER CZO 02-01, CHAPTER 71.
- 5) ALL LOTS SHOWN HEREON ARE TO BE SERVED BY INDIVIDUAL SEPTIC DISPOSAL SYSTEMS. LOTS 1 - 5 AND 8 - 11 WILL BE SERVED BY PUBLIC WATER; LOTS 6 AND 7 WILL BE SERVED BY WELLS DRILLED TO AN APPROVED, CONFINED AQUIFER.
- 6) THIS HEALTH DEPARTMENT APPROVAL CERTIFIES THAT THE LOTS SHOWN HEREON ARE IN CONSONANCE WITH PERTINENT HEALTH DEPARTMENT LAWS AND REGULATIONS AS OF THE APPROVAL DATE; HOWEVER, THIS APPROVAL IS SUBJECT TO CHANGES IN SUCH LAWS AND REGULATIONS. CHANGES IN TOPOGRAPHY OR SITE DESIGNATIONS MAY VOID THIS APPROVAL. THE DESIGNATED PERC AREAS ARE THE ONLY PERC AREAS APPROVED BY THE ST. MARY'S COUNTY HEALTH DEPARTMENT FOR SEWAGE DISPOSAL PURPOSES. THE APPROVED LOTS INCLUDE APPROVED AREAS OF AT LEAST 10,000 S.F. FOR SEWAGE DISPOSAL PURPOSES AS REQUIRED BY CURRENT MARYLAND STATE HEALTH DEPARTMENT LAW. IMPROVEMENTS OF ANY OTHER NATURE, INCLUDING BUT NOT LIMITED TO THE INSTALLATION OF OTHER UTILITIES IN THESE AREAS MAY RENDER THE LOTS UNDEVELOPABLE. TO DETERMINE THE EXACT AREA OF THE LOTS APPROVED FOR SEWAGE DISPOSAL PURPOSES, OR TO ESTABLISH A DIFFERENT AREA FOR SUCH PURPOSES, YOU MUST CONTACT THE ST. MARY'S COUNTY HEALTH DEPARTMENT, OFFICE OF ENVIRONMENTAL HEALTH.
- 7) THIS SUBDIVISION IS IN COMPLIANCE WITH THE ST. MARY'S COUNTY COMPREHENSIVE WATER AND SEWERAGE PLAN.
- 8) THERE SHALL BE A 10 FOOT UTILITY EASEMENT ALONG ALL LOT LINES. THESE EASEMENTS ARE TO INCLUDE USE BY ST. MARY'S COUNTY METROPOLITAN COMMISSION, ITS SUCCESSORS AND ASSIGNS, FOR CONSTRUCTION, INSTALLATION, MAINTENANCE, REPAIR, INSPECTION AND OPERATION OF PUBLIC WATER FACILITIES AND ANY FUTURE PUBLIC SEWER FACILITIES, SHOULD SUCH FACILITIES EVER BE INSTALLED.
- 9) AREAS ESTABLISHED FOR RESOURCE PROTECTION ON THE SITE, IN ACCORDANCE WITH REQUIRED PROTECTION LEVELS, MUST REMAIN IN UNDISTURBED OPEN SPACE + UNDEVELOPED.
- 10) CAUTION: THE PUBLIC 45' RIGHT OF WAY KNOWN AS LANYON COURT SHOWN HEREON MAY NOT NECESSARILY PROVIDE ACCESS FROM THESE LOTS TO A COUNTY OR STATE ROAD AT THIS TIME. ROAD AND UTILITY CONSTRUCTION AND MAINTENANCE ARE THE RESPONSIBILITY OF THE BUYERS OF THESE LOTS UNLESS OTHERWISE PROVIDED HEREIN.
- 11) WATER AND SEWERAGE PLAN CATEGORIES ARE AS FOLLOWS: CW - 3) (S - 6).
- 12) THERE ARE NO ADDITIONAL PLANS FOR THIS PROPERTY AT THIS TIME.
- 13) LOTS 2 - 11 ARE TO BE ACCESSED BY THE PROPOSED PUBLIC 45 FOOT RIGHT-OF-WAY AS SHOWN ON THIS PLAT. LOT 1 WILL BE SERVED BY THE EXISTING ENTRANCE ONTO GREEN HOLLY ROAD. PUBLIC ROADS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE LATEST STANDARDS OF THE ST. MARY'S COUNTY DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION.
- 14) LOTS 5, 6 + 7 ARE TO BE ACCESSED BY THE 20' ACCESS EASEMENT KNOWN AS LANYON WAY AS SHOWN ON THIS PLAT. LOTS ARE TO BE SERVED BY AN R-20 MULTIPLE DRIVEWAY ENTRANCE PER THE ST. MARY'S COUNTY ROAD ORDINANCE. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE INSTALLATION/BONDING OF THE ENTRANCE PRIOR TO THE RECORDING OF THIS PLAT.
- 15) THE 20' ACCESS EASEMENT SHOWN HEREON, AS DEFINED IN THE ST. MARY'S COUNTY ZONING ORDINANCE IS PRIVATE + SHALL NOT BE MAINTAINED BY THE COUNTY, NOR SHALL IT BE CONSIDERED FOR ACCEPTANCE INTO THE COUNTY ROAD MAINTENANCE SYSTEM UNTIL IMPROVED TO THE APPROPRIATE COUNTY ROAD STANDARD AT THE INDIVIDUAL LOT OWNER'S EXPENSE.
- 16) THE LOTS SHOWN HEREON CONTAIN AT LEAST A MINIMUM 20,000 S.F. AREA WHICH DOES NOT INCLUDE RIGHTS-OF-WAY (EXISTING OR PROPOSED), 50 YEAR FLOOD PLAINS AND 25% GRADES.

THOMAS B. WATTS \_\_\_\_\_ DATE \_\_\_\_\_

KATHERINE D. WATTS \_\_\_\_\_ DATE \_\_\_\_\_

**DH Steffens Co.**  
ESTABLISHED 1923  
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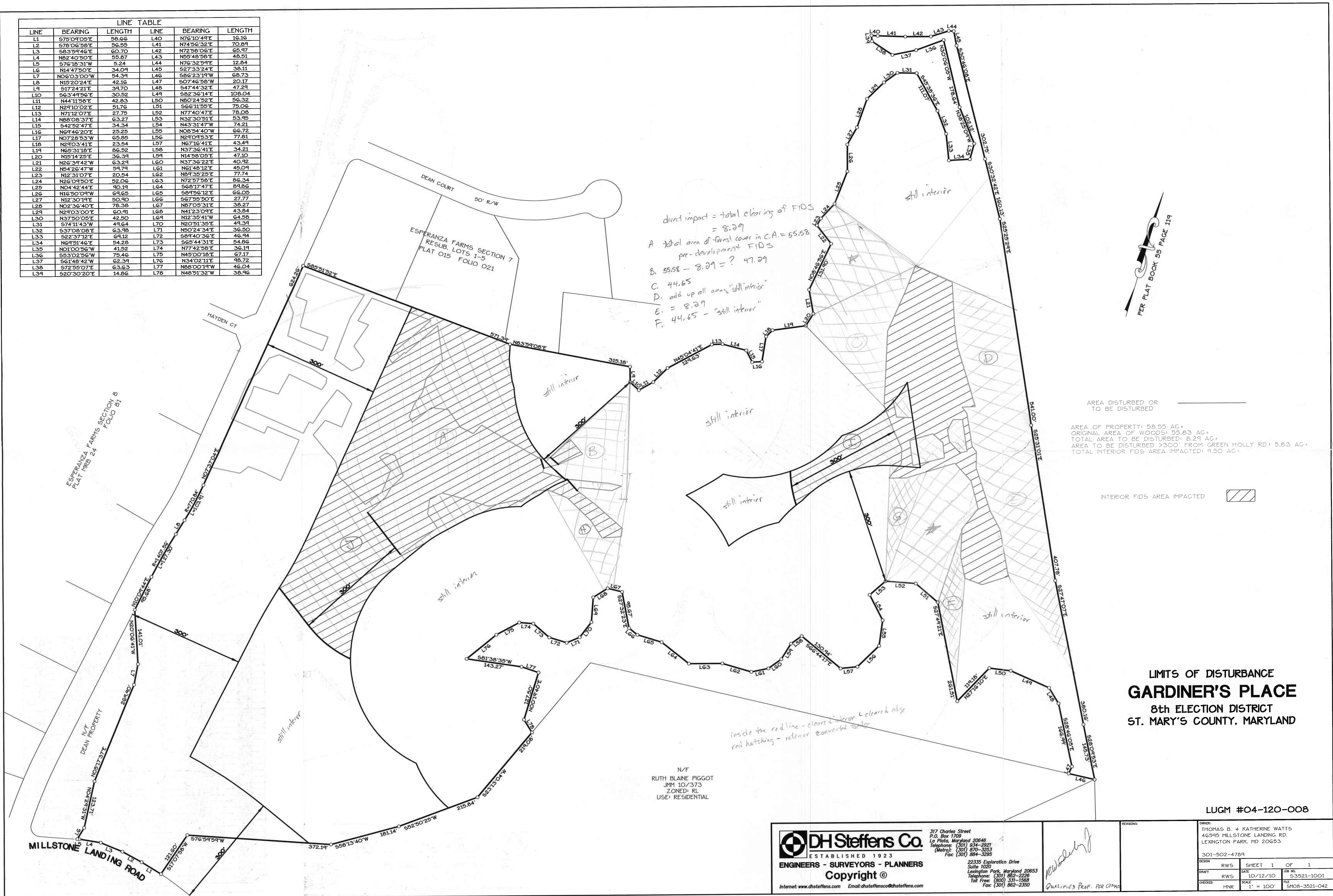
317 Charles Street  
P.O. Box 1709  
Lo Plato, Maryland 20646  
Telephone: (301) 934-2921  
(Metro): (301) 870-3253  
Fax: (301) 884-3295  
22335 Exploration Drive  
Suite 1020  
Lexington Park, Maryland 20653  
Telephone: (301) 862-2226  
Toll Free: (800) 331-1568  
Fax: (301) 862-2350



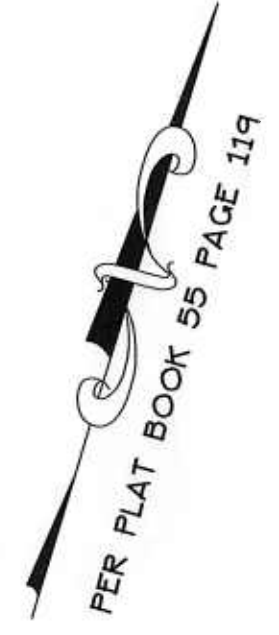
REVISIONS:  
**PRINTED**  
FEB 04 2004  
D.H. STEFFENS CO.

OWNER: THOMAS + KATHERINE WATTS 46595 MILLSTONE LANDING RD. LEXINGTON PARK, MD 20653 E.W.A. 301-863-7061			
DESIGN	RWS	SHEET 1	OF 3
DRAFT	RWS	DATE 2/02/04	S3521-0401
CHECKED	SCALE N/A	SM08-3521-042	

LINE	BEARING	LENGTH	LINE	BEARING	LENGTH
L1	S75°09'05"E	58.66	L40	N76°10'44"E	16.16
L2	S78°06'58"E	56.55	L41	N74°56'32"E	70.84
L3	S83°59'46"E	60.70	L42	N72°58'06"E	65.47
L4	N82°40'30"E	55.87	L43	N85°48'58"E	48.51
L5	S76°18'31"W	5.24	L44	N76°32'59"E	12.84
L6	N14°47'50"E	34.04	L45	S27°33'24"E	38.11
L7	N06°03'00"W	54.34	L46	S86°23'19"W	68.73
L8	N15°20'24"E	42.16	L47	S07°46'58"W	20.17
L9	S17°24'21"E	34.70	L48	S47°44'32"E	47.29
L10	S63°44'56"E	30.82	L49	S82°36'14"E	108.04
L11	N44°11'58"E	42.83	L50	N80°24'52"E	56.32
L12	N29°10'02"E	51.76	L51	S66°11'55"E	75.06
L13	N71°12'07"E	27.75	L52	N77°40'47"E	78.08
L14	N88°08'37"E	63.27	L53	N52°30'51"E	53.49
L15	S42°52'47"E	34.34	L54	N43°31'47"W	74.21
L16	N67°46'20"E	25.25	L55	N08°54'40"W	66.72
L17	N07°28'53"W	65.85	L56	N29°09'53"E	77.81
L18	N29°03'41"E	23.54	L57	N67°16'41"E	43.44
L19	N68°31'18"E	86.52	L58	N37°36'41"E	34.21
L20	N15°14'25"E	36.34	L59	N14°58'05"E	47.40
L21	N26°34'42"W	63.24	L60	N37°36'22"E	40.42
L22	N54°26'47"W	59.74	L61	N61°48'12"E	45.04
L23	N12°31'07"E	20.54	L62	N84°35'25"E	77.74
L24	N26°09'50"E	52.06	L63	N72°57'58"E	86.34
L25	N04°42'44"E	40.14	L64	S68°17'47"E	84.86
L26	N16°50'04"W	64.65	L65	S81°56'12"E	66.05
L27	N12°30'14"E	50.40	L66	S67°58'30"E	27.77
L28	N02°36'40"E	78.38	L67	N87°05'31"E	38.27
L29	N29°03'00"E	60.41	L68	N41°23'04"E	43.84
L30	N37°50'05"E	42.50	L69	N12°35'41"W	64.58
L31	S74°11'43"W	44.64	L70	N20°51'35"E	44.34
L32	S37°08'08"E	63.48	L71	N50°24'34"E	36.50
L33	S23°17'12"E	64.12	L72	S84°40'36"E	46.44
L34	N69°51'46"E	54.28	L73	S65°44'31"E	54.86
L35	N01°00'56"W	41.52	L74	N77°42'58"E	36.14
L36	S53°02'56"W	75.46	L75	N45°00'18"E	67.17
L37	S61°48'42"W	62.34	L76	N34°02'11"E	48.72
L38	S72°59'07"E	63.63	L77	N88°00'14"W	46.04
L39	S20°30'20"E	14.86	L78	N48°51'32"W	38.96



direct impact = total clearing of FIDS  
 = 8.29  
 A total area of forest cover in C.A. = 55.58  
 pre-development FIDS  
 B. 55.58 - 8.29 = ? 47.29  
 C. 44.65  
 D. add up all areas "still interior"  
 E. = 8.29  
 F. 44.65 - "still interior"



AREA DISTURBED OR TO BE DISTURBED  
 AREA OF PROPERTY: 58.55 AC\*  
 ORIGINAL AREA OF WOODS: 55.53 AC\*  
 TOTAL AREA TO BE DISTURBED: 8.29 AC\*  
 AREA TO BE DISTURBED >300' FROM GREEN HOLLY RD.: 5.83 AC\*  
 TOTAL INTERIOR FIDS AREA IMPACTED: 9.50 AC\*

INTERIOR FIDS AREA IMPACTED

**LIMITS OF DISTURBANCE**  
**GARDINER'S PLACE**  
 8th ELECTION DISTRICT  
 ST. MARY'S COUNTY, MARYLAND

N/F  
 RUTH BLAINE PIGGOT  
 JMM 10/3/73  
 ZONED: RL  
 USE: RESIDENTIAL

inside the red line - cleared interior & cleared edge  
 red hatching - interior converted to open

LUGM #04-120-008

<b>DH Steffens Co.</b> ESTABLISHED 1923 <b>ENGINEERS - SURVEYORS - PLANNERS</b> Copyright © Internet: www.dhsteffens.com Email: dhsteffensco@dhsteffens.com	317 Charles Street P.O. Box 1709 La Plata, Maryland 20646 Telephone: (301) 834-2921 (Metro): (301) 870-3253 Fax: (301) 884-3250		OWNER: THOMAS B. + KATHERINE WATTS 46595 MILLSTONE LANDING RD. LEXINGTON PARK, MD 20653
			301-502-4789 DESIGN: RWS SHEET 1 OF 1 DATE: 10/12/10 JOB NO.: S3521-1001 CHECKED: HNR SCALE: 1" = 100' FILE: SMO8-3521-042

LINE	BEARING	LENGTH	LINE	BEARING	LENGTH
L1	S75°09'05"E	58.66	L40	N76°10'44"E	16.16
L2	S78°06'58"E	56.55	L41	N74°56'32"E	70.84
L3	S83°59'46"E	60.70	L42	N72°58'06"E	65.97
L4	N82°40'50"E	55.87	L43	N55°48'58"E	48.51
L5	S75°18'31"W	52.24	L44	N76°32'59"E	12.84
L6	N14°47'50"E	34.09	L45	S27°33'24"E	38.11
L7	N06°03'00"W	54.39	L46	S86°23'19"W	68.73
L8	N15°20'24"E	42.16	L47	S07°46'58"W	20.12
L9	S17°24'21"E	39.70	L48	S47°44'32"E	47.29
L10	S63°44'56"E	30.52	L49	S82°36'14"E	108.04
L11	N44°11'58"E	51.76	L50	N80°24'52"E	56.32
L12	N24°10'02"E	27.75	L51	S66°11'55"E	75.06
L13	N71°12'07"E	63.27	L52	N77°40'47"E	78.08
L14	N88°08'37"E	34.34	L53	N32°30'21"E	53.95
L15	S42°52'47"E	25.25	L54	N43°31'47"W	74.21
L16	N69°46'20"E	65.85	L55	N08°54'40"W	66.72
L17	N07°28'53"W	23.54	L56	N29°09'53"E	77.81
L18	N29°03'41"E	86.52	L57	N67°16'41"E	43.49
L19	N65°31'18"E	36.39	L58	N37°36'41"E	34.21
L20	N15°14'25"E	63.29	L59	N14°58'05"E	47.10
L21	N26°39'42"W	20.54	L60	N37°36'22"E	40.92
L22	N54°26'47"W	90.11	L61	N61°48'12"E	45.09
L23	N12°31'07"E	52.06	L62	N89°35'25"E	77.74
L24	N26°04'50"E	49.64	L63	N72°57'58"E	86.34
L25	N04°42'44"E	69.65	L64	S68°17'47"E	89.86
L26	N16°50'09"W	50.90	L65	S89°52'12"E	66.09
L27	N12°30'19"E	78.38	L66	S67°55'50"E	27.77
L28	N02°36'40"E	60.91	L67	N87°05'31"E	38.27
L29	N29°03'00"E	42.50	L68	N41°23'04"E	43.84
L30	N37°50'09"E	49.64	L69	N12°35'41"W	64.58
L31	S74°11'43"W	49.64	L70	N20°51'35"E	49.39
L32	S37°08'08"E	69.12	L71	N50°24'34"E	36.50
L33	S22°37'12"E	54.28	L72	S89°40'36"E	46.94
L34	N69°51'46"E	41.52	L73	S65°44'31"E	54.82
L35	N01°00'56"W	75.46	L74	N77°42'58"E	36.19
L36	S53°02'56"W	62.39	L75	N45°00'18"E	67.17
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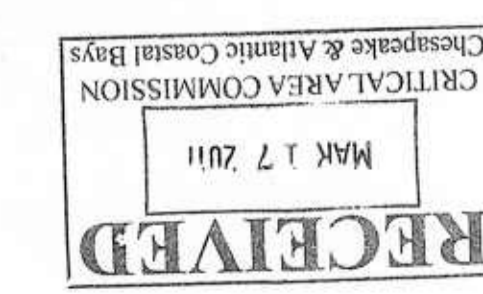


PER PLAT BOOK 55 PAGE 119

AREA DISTURBED OR TO BE DISTURBED  
 AREA OF PROPERTY: 58.55 AC+  
 A. PRE-DEVELOPMENT FIDS HABITAT (C1+2+3+4+5): 57.46 AC+  
 B. POST DEVELOPMENT FIDS HABITAT (C3+4+5): 49.23 AC+  
 C. PRE-DEVELOPMENT FIDS HABITAT INTERIOR (C1+4+5): 46.91 AC+  
 D. POST DEVELOPMENT FIDS HABITAT INTERIOR (C5): 28.78 AC+  
 E. FIDS HABITAT BEING DIRECTLY IMPACTED (C1+2): 8.23 AC+  
 F. INTERIOR LOST DUE TO DEVELOPMENT (C1+2): 18.13 AC+  
 G. MITIGATION REQUIRED (C2+E): 44.49 AC+

8.23 is direct loss - must replant  
 36.96 is indirect loss - can be planted or conservation at 2:1  
 160,000  
 300,000  
 460,000 -  
 72.52

**LIMITS OF DISTURBANCE  
 GARDINER'S PLACE  
 8th ELECTION DISTRICT  
 ST. MARY'S COUNTY, MARYLAND**



LUGM #04-120-008

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	<p>DESIGNER:        RWS</p>	<p>DATE:        10/12/10</p>	<p>SHEET 1 OF 1</p>
<p>DRAWN:        RWS</p>	<p>SCALE:        1" = 100'</p>	<p>CHECKED:        HNR</p>	<p>FILE:        SMO8-3521-042</p>

H:\MAP\_35\GRID\_21\2010\DWG\FID5.DWG 10/14/10 RWS

Martin O'Malley  
Governor

Anthony G. Brown  
Lt. Governor



Margaret G. McHale  
Chair

Ren Serey  
Executive Director

STATE OF MARYLAND  
CRITICAL AREA COMMISSION  
CHESAPEAKE AND ATLANTIC COASTAL BAYS

1804 West Street, Suite 100, Annapolis, Maryland 21401  
(410) 260-3460 Fax: (410) 974-5338  
[www.dnr.state.md.us/criticalarea/](http://www.dnr.state.md.us/criticalarea/)

April 5, 2011

Mr. Derick Berlage, Director  
St. Mary's County Government  
Department of Land Use and Growth Management  
P.O. Box 653  
Leonardtown, Maryland 20650

**RE: SM 79-04 Gardiner's Place**  
**St. Mary's County Project: 04-120-008**

  
~~Dear Mr. Berlage:~~

I am writing to follow up on recent conversations between St. Mary's County staff and our office regarding Gardiner's Place Subdivision located near Esperanza Farms in Lexington Park. Even though we haven't scheduled another meeting to discuss overall coordination, I thought writing directly to you about this particular matter would be appropriate.

It is my understanding that two applicants have requested building permits for lots within the Gardiner's Place Subdivision and the County may be proposing to issue the permits in the near future. I am concerned about additional clearing on the site at this time; a grading permit was issued previously, and the subdivision was cleared, without addressing the requirement to provide mitigation for impacts to Forest Interior Dwelling Species (FIDS) habitat. As set out in the St. Mary's County Critical Area ordinance, this requirement needs to be addressed prior to the authorization of any further development activity on this property.

The Gardiner's Place Subdivision is located on a property that was originally designated Resource Conservation Area (RCA). In 1997, St. Mary's County granted the property owners 17.77 acres of growth allocation to change a portion of the property from RCA to Limited Development Area (LDA). The Critical Area Commission approved the growth allocation as an amendment to the County's local program. Subsequently, the developer submitted a subdivision plat for 11 residential lots. Nine lots were proposed for the LDA portion of the property, and two lots were proposed for the remaining RCA. Commission staff reviewed the subdivision in 2004 and identified FIDS habitat mitigation as a requirement of the local Critical Area program that needed to be addressed. The County's program requires applicants to comply with the Commission's publication, *A Guide to the Conservation of Forest Interior Dwelling Birds in the Chesapeake Bay Critical Area*.

Mr. Derick Berlage  
April 5, 2011  
Page 2

When the subdivision plat was recorded in 2008, the requirement to provide mitigation for clearing FIDS habitat was addressed with a series of notes, "Regulation of Activities in FIDS Habitat (Critical Area)" requiring applicants for projects in the Critical Area to use and follow the Commission's publication. The plat did not include specific provisions for mitigation or identify a potential mitigation site. In the fall of 2010, County staff contacted our office regarding compliance with the FIDS mitigation requirements and requested assistance with the mitigation calculations. We worked with the staff and the applicant's consultant. The applicant submitted final calculations in March 2011. The mitigation requirement was determined to be either 44.49 acres of planting, or 8.23 acres of planting plus 72.52 acres of conservation of existing FIDS habitat.

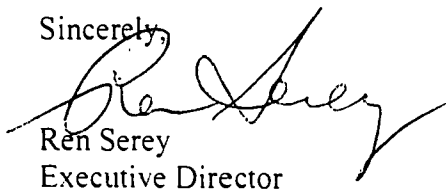
FIDS mitigation must meet specific requirements in order to function properly as habitat for these species. A selected mitigation area results in a block of protected forest of approximately 100 acres, which must meet certain age and species parameters determined by the Heritage Division of the Department of Natural Resources. Based on the nature and characteristics of FIDS habitat, compliance with mitigation requirements on a lot-by-lot basis as building permits are requested is generally impractical, costly, and often impossible to implement effectively. For these reasons, we have been actively working throughout the Critical Area to identify and establish FIDS Mitigation Banks with the goal of certifying a FIDS Mitigation Bank in every county.

At this time, it is not clear how the County is proposing to proceed with the requested permits. This is a concern because FIDS mitigation has been difficult on other projects, and there is an outstanding violation at the Tower Hill Subdivision, involving an undetermined acreage of FIDS habitat that was cleared and not mitigated.

Although we have been coordinating with County staff on the FIDS Mitigation Bank concept, and are pursuing opportunities for a bank in St. Mary's County, a site has not yet been identified. Further authorizations for development activities on the Gardiner's Place property without ensuring mitigation for FIDS impacts would be inconsistent with State and County Critical Area goals for FIDS conservation and would not be in compliance with Section 71.8.4.d of the St. Mary's County Zoning Ordinance.

I would like to discuss this matter with you at your earliest convenience. In the interim, if you need additional information or have questions, please contact me at (410) 260-3462, or [rserev@dnr.state.md.us](mailto:rserev@dnr.state.md.us), or Mary Owens at (410) 260-3480 or [mowens@dnr.state.md.us](mailto:mowens@dnr.state.md.us)

Sincerely,



Ren Serey  
Executive Director

cc: Yvonne Chaillet  
Kelly Palmer  
Phil Shire  
Sue Veith

Robert L. Ehrlich, Jr.  
Governor



Michael S. Steele  
Lt. Governor

Martin G. Madden  
Chairman

Ren Serey  
Executive Director

STATE OF MARYLAND  
CRITICAL AREA COMMISSION  
CHESAPEAKE AND ATLANTIC COASTAL BAYS  
1804 West Street, Suite 100, Annapolis, Maryland 21401  
(410) 260-3460 Fax: (410) 974-5338  
[www.dnr.state.md.us/criticalarea/](http://www.dnr.state.md.us/criticalarea/)

March 12, 2004

Ms. Sue Veith  
St. Mary's County Government  
Department of Land Use and Growth Management  
PO Box 653  
Leonardtown, MD 20650-0653

Re: **SM 79-04: MSUB # 04-120-008 Gardiner's Place**  
**Tax Map 35, Block 21, Parcel 42**

Dear Sue,

I have reviewed the information regarding the above referenced subdivision, which proposes to create eleven lots in the LDA of Patuxent River, Esperanza Pond, and Hominy Creek. This is a 65.05 acre parcel with 58.32 acres in the Critical Area. A growth allocation request for this parcel was reviewed and approved by the Commission as refinement SMA-20 on April 3, 1997. The following comments are provided for your use:

1. General Note # 3 on the plat must be amended to show the correct Critical Area Overlay designation as LDA.
2. More than 50 acres of the site is forested which qualifies as potential FIDS habitat. This site has not been evaluated by the Maryland Department of Natural Resources, Wildlife and Heritage Service (WHS), regarding the presence of rare, threatened and endangered species and/or their habitats for several years. WHS must be contacted for an updated determination. All WHS comments must be addressed on the plat and plans. Please provide a copy of the WHS determination letter prior to issuing any approvals for this request.
3. There appears to be a tributary stream on the north shore of Hominy Creek. It does not appear on the St. Mary's Soil Survey, USGS topographic maps, nor the MERLIN database. Please confirm whether this tributary has been field-verified, and if so, a 100-foot Buffer must be delineated alongside it.
4. In the proposed impervious surface tabulation chart, was the existing impervious area for Lanyon Lane included in the totals shown for Lots 6 and 7? If not, this amount must be accounted for in the table.

5. How will the 1:1 forest mitigation be provided for the 4.277 acres of clearing? The plat must state how the mitigation will be provided, and show the location for any proposed plantings. It appears this mitigation may need to be provided as FIDS habitat. If so, the FIDS Conservation Worksheet in Appendix D of *A Guide to the Conservation of Forest Interior Dwelling Birds in the Chesapeake Bay Critical Area* must be completed. This worksheet will determine if additional mitigation is required for creating new forest interior. Please contact Claudia Jones at 410-260-3476 if you have questions regarding the worksheet.
6. A community access trail to Esperanza Pond is shown. Are there plans to develop boardwalks, a community pier and/or boat ramp for this subdivision? If so, this information must be shown on the plans.

Please provide a copy of the revised plan when it becomes available. We may have additional comments based upon any new information provided by WHS. If you have any questions regarding these comments, please contact me at 410-260-3481.

Sincerely,



Wanda Diane Cole  
Natural Resources Planner

cc: Jerry Soderberg, DH Steffens Co., Inc.  
Claudia Jones  
Lori Byrne





Robert L. Ehrlich, Jr.  
Governor

Michael S. Steele  
Lt. Governor

## Maryland Department of Natural Resources

Tawes State Office Building  
580 Taylor Avenue  
Annapolis, Maryland 21401

C. Ronald Franks  
Secretary

W. P. Jensen  
Deputy Secretary

June 9, 2004

Mr. R.W. Soderberg  
Project Manager  
D.H. Steffens Co.  
22335 Exploration Dr., Suite 1020  
Lexington Park, MD 20653

**RE: Environmental Review for Watts Property, DHS File #: SM08-3521-042, Gardiner's Place, St. Mary's Co., MD.**

Dear Mr. Soderberg:

The Wildlife and Heritage Service has determined that there are no State or Federal records for rare, threatened or endangered species within the boundaries of the project site as delineated. As a result, we have no specific comments or requirements pertaining to protection measures at this time. This statement should not be interpreted however as meaning that rare, threatened or endangered species are not in fact present. If appropriate habitat is available, certain species could be present without documentation because adequate surveys have not been conducted. It is also important to note that the utilization of state funds, or the need to obtain a state authorized permit may warrant additional evaluations that could lead to protection or survey recommendations by the Wildlife and Heritage Service. If this project falls into one of these categories, please contact us for further coordination.

Our analysis of the information provided suggests that the forested area on the project site contains Forest Interior Dwelling Bird habitat. Populations of many Forest Interior Dwelling Bird species (FIDS) are declining in Maryland and throughout the eastern United States. The conservation of this habitat is mandated within the Critical Area and must be addressed by the project plan. Specifically, if FIDS habitat is present, the following guidelines should be incorporated into the project plan:

1. Restrict development to nonforested areas.
2. If forest loss or disturbance is unavoidable, concentrate or restrict development to the following areas:
  - a. the perimeter of the forest (i.e., within 300 feet of existing forest edge)
  - b. thin strips of upland forest less than 300 feet wide
  - c. small, isolated forests less than 50 acres in size
  - d. portions of the forest with low quality FIDS habitat, (i.e., areas that are already heavily fragmented, relatively young, exhibit low structural diversity, etc.)
3. Maximize the amount of forest "interior" (forest area >300 feet from the forest edge) within each forest tract (i.e., minimize the forest edge:area ratio). Circular forest tracts are ideal and square tracts are better than rectangular or long, linear forests.
4. Minimize forest isolation. Generally, forests that are adjacent, close to, or connected to other forests provide higher quality FIDS habitat than more isolated forests.
5. Limit forest removal to the "footprint" of houses and to that which is necessary for the placement of roads and driveways.

PRELIMINARY SUBDIVISION LAYOUT DATA	
TOTAL TRACT AREA	65.05 ACRES
TOTAL AREA WITHIN CRITICAL AREA	64.76 ACRES
TOTAL AREA OUTSIDE CRITICAL AREA	0.29 ACRES
TOTAL FAST LAND IN CRITICAL AREA	58.32 ACRES
TOTAL AREA OF DEVELOPMENT ENVELOPE	18.04 ACRES
TOTAL AREA OF DEVELOPMENT ENVELOPE IN CRITICAL AREA	18.04 ACRES
TOTAL AREA INSIDE HOMINY CREEK	6.44 ACRES
TOTAL AREA IN NON-TIDAL WETLANDS	8.73 ACRES
TOTAL AREA FORESTED	56.25 ACRES

LOT AREA DATA		
LOT #	ACREAGE	SQ. FT.
1	0.67	29,287
2	0.80	35,033
3	0.78	33,781
4	0.76	32,962
5	0.62	26,988
6	20.02	872,071
7	20.55	899,158
8	0.82	35,676
9	0.64	28,044
10	0.76	33,188
11	0.75	32,853
12	0.54	23,466
13	0.44	19,222
14	0.41	17,824
15	10.91	475,240

HOMINY CREEK LABELS		
LINE	DIRECTION	DISTANCE
P1	S 48°51'32" E	38.81
P2	S 28°00'18" E	46.04
P3	S 45°00'18" W	67.17
P4	S 77°42'58" W	36.19
P5	N 63°44'31" W	84.86
P6	N 84°40'36" W	46.34
P7	S 50°24'34" W	36.50
P8	S 20°51'35" W	49.34
P9	S 12°34'41" W	64.89
P10	S 41°23'04" W	43.84
P11	S 87°09'31" W	38.27
P12	N 67°59'50" W	27.77
P13	N 84°56'12" W	66.05
P14	S 84°35'25" W	77.74
P15	S 61°48'12" W	45.04
P16	S 37°34'41" W	49.32
P17	S 14°58'05" W	47.10
P18	S 37°36'41" W	34.21
P19	S 67°18'41" W	43.44
P20	S 29°03'53" W	77.81
P21	S 08°34'40" E	66.72
P22	S 43°31'47" E	74.21
P23	S 32°40'51" W	53.89
P24	S 77°40'47" W	78.08
P25	N 66°11'59" W	75.06
P26	S 80°24'53" W	56.32
P27	N 47°44'32" W	47.24
P28	N 07°54'11" E	21.32

BOUNDARY LINE LABELS		
LINE	DIRECTION	DISTANCE
L1	N 75°04'05" W	58.00
L2	N 78°06'58" W	55.78
L3	N 83°59'46" W	54.02
L4	S 82°40'50" W	54.99
L5	N 134°15'56" W	4.91
L6	S 76°18'31" W	3.95
L7	N 14°47'50" E	34.04
L8	N 04°24'32" W	123.71
L9	N 06°03'00" W	34.34
L10	S 17°24'21" E	34.70
L11	S 63°49'56" E	30.82
L12	N 44°11'58" E	42.93
L13	N 24°10'02" E	51.76
L14	N 71°12'07" E	27.75
L15	N 88°08'37" E	63.27
L16	S 42°52'47" E	34.34
L17	N 69°46'20" E	25.25
L18	N 07°28'53" W	65.85
L19	N 29°03'41" E	23.54
L20	N 15°14'25" E	36.34
L21	N 26°34'42" W	63.24
L22	N 84°26'47" W	54.74
L23	N 12°31'07" E	20.34
L24	N 26°04'50" E	52.06
L25	N 16°50'04" W	64.65
L26	N 12°30'18" E	50.90
L27	N 02°36'40" E	78.38
L28	N 29°03'00" E	60.91
L29	N 37°50'05" E	42.50
L30	N 74°11'53" E	41.64
L31	S 37°08'08" E	63.48
L32	S 22°37'12" E	69.12
L33	N 49°51'46" E	54.28
L34	N 01°00'56" W	41.92
L35	S 53°02'56" W	75.46
L36	S 61°48'12" W	62.34
L37	N 72°59'07" W	66.23
L38	N 20°30'20" W	14.86
L39	N 76°10'44" E	16.16
L40	N 74°58'32" E	70.84
L41	N 72°58'06" E	65.97
L42	N 85°48'58" E	48.51
L43	N 76°32'54" E	12.84
L44	S 27°53'24" E	38.11

DEVELOPMENT ENVELOPE GROUND DISTURBANCE DATA		
AREA	PROP. CLEARING	PROP. IMPERVIOUS SURFACES
LOT 1	10,450 SQ. FT.	6,380 SQ. FT.
LOT 2	12,020 SQ. FT.	7,580 SQ. FT.
LOT 3	11,870 SQ. FT.	6,450 SQ. FT.
LOT 4	12,300 SQ. FT.	7,350 SQ. FT.
LOT 5	9,440 SQ. FT.	5,500 SQ. FT.
LOT 6	12,610 SQ. FT.	6,050 SQ. FT.
LOT 7	10,380 SQ. FT.	5,510 SQ. FT.
LOT 8	14,110 SQ. FT.	6,340 SQ. FT.
LOT 9	11,410 SQ. FT.	6,480 SQ. FT.
LOT 10	49,870 SQ. FT.	12,710 SQ. FT.
LOT 11	6,600 SQ. FT.	4,060 SQ. FT.
LOT 12	13,850 SQ. FT.	7,510 SQ. FT.
TOTAL	138,850 SQ. FT.	75,170 SQ. FT.

GROUND DISTURBANCE DATA		
AREA	PROP. CLEARING	PROP. IMPERVIOUS SURFACES
LOT 6	27,570 SQ. FT.	11,100 SQ. FT.
LOT 7	22,880 SQ. FT.	4,920 SQ. FT.
TOTAL	50,450 SQ. FT.	20,620 SQ. FT.

LOT LINE CURVE DATA					
CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING
D1	477.50	165.11	83.39	134.29	S 72°34'14" E
D2	477.50	136.10	68.01	134.65	S 74°27'18" E
D3	477.50	30.01	15.01	30.01	S 89°27'44" E
D4	25.00	33.77	20.03	31.28	S 23°58'04" E
D5	48.50	109.77	103.25	87.80	S 30°08'58" E
D6	48.50	210.51	70.86	80.09	N 70°23'03" E
D7	48.50	27.15	13.54	26.79	N 49°00'05" E
D8	48.50	107.69	20.88	20.88	N 31°03'01" E
D9	320.33	109.49	56.28	108.92	S 82°48'39" E
D10	309.33	101.20	51.09	100.72	N 82°54'43" W
D11	48.50	75.59	12.84	25.00	N 62°48'59" W
D12	48.50	28.11	14.48	27.72	N 37°21'23" W
D13	522.50	87.39	43.79	87.28	N 58°45'07" W
D14	522.50	110.42	53.52	110.42	N 69°54'31" W
D15	522.50	82.03	31.05	82.00	N 79°04'31" W
D16	522.50	280.08	132.77	257.37	N 68°13'07" W

**LEGEND**

- SLOPES
- +5% SLOPES
- +25% SLOPES
- EXISTING TREE LINE
- PROPOSED TREE LINE
- FLOODPLAIN LINE
- PERENNIAL/INTERMITTENT STREAMS (WATERS OF THE UNITED STATES)
- WETLANDS
- TIDAL WETLANDS
- NON-TIDAL WETLANDS
- CRITICAL AREA
- 1000' CRITICAL AREA LINE
- CRITICAL AREA BUFFER
- 300' BUFFER
- PROPOSED DWELLING (70'x40')



HEALTH DEPARTMENT PLAT  
PRELIMINARY SUBDIVISION PLAN  
**GARDINER'S PLACE**  
8th ELECTION DISTRICT  
ST. MARY'S COUNTY, MARYLAND

RECEIVED  
FEB 17 2004  
CHESAPEAKE DAY  
CRITICAL AREA COMMISSION

**DH Steffens Co.**  
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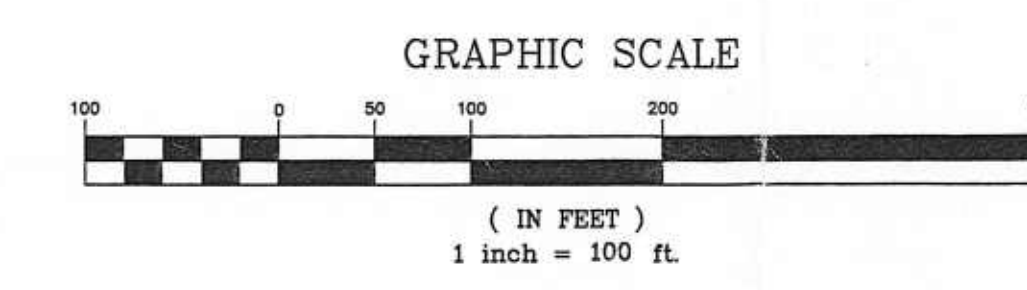
317 Charles Street  
P.O. Box 1709  
La Plata, Maryland 20646  
Telephone: 866-2226 (St. Mary's Co.)  
1-800-331-1868 (Outside St. Mary's)

100 Exploration Drive, Suite 1020  
Lexington Park, Maryland 20653  
Telephone: 866-2226 (St. Mary's Co.)  
1-800-331-1868 (Outside St. Mary's)

THOMAS B. + KATHERINE D. WATTS  
46545 MILLSTONE LANDING RD.  
LEXINGTON PARK, MD 20653  
E.W.A. 2121/031  
301-863-7061

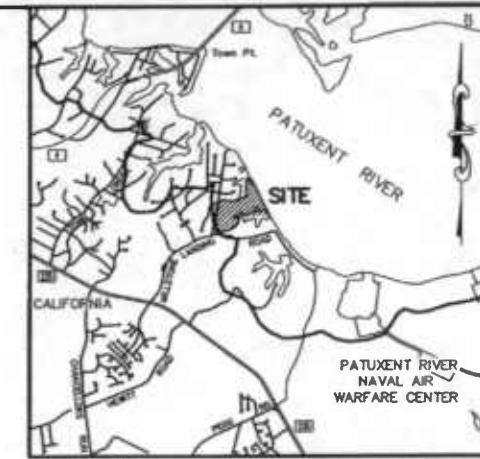
PRINTED  
FEB 04 2004  
D.H. STEFFENS CO.

RWS SHEET 2 OF 2  
DATE 02/03/04  
SCALE 1" = 300'  
SMC-3521-042



ST. MARY'S COUNTY DEPT. OF PUBLIC WORKS + TRANSPORTATION PWA-412105 CP.1705-001 12-3-08 APPROVAL DATE <i>George A. Jackson</i> DIRECTOR	ST. MARY'S COUNTY DEPT. OF LAND USE + GROWTH MANAGEMENT <i>[Signature]</i> 12/3/08 APPROVAL DATE <i>[Signature]</i> DIRECTOR
ST. MARY'S COUNTY METROPOLITAN COMMISSION 6-14-08 APPROVAL DATE <i>[Signature]</i> DIRECTOR	ST. MARY'S COUNTY HEALTH DEPARTMENT 7/8/08 APPROVAL DATE <i>[Signature]</i> DIRECTOR

# MAJOR SUBDIVISION PLAT GARDINER'S PLACE 8th ELECTION DISTRICT ST. MARY'S COUNTY, MARYLAND



VICINITY MAP  
TAX MAP: 35 BLOCK: 21 PARCEL: 42  
SCALE: 1" = 4000'

NOTE: LOT 3 IS LIMITED TO A THREE (3) BEDROOM HOUSE.

**GENERAL NOTES (CONT'D):**

- 24) THE APPLICANT HAS OBTAINED A WAIVER ON MARCH 9, 2006, FROM CONNECTION TO THE PUBLIC SEWER LINE, AND SUBSEQUENTLY THE RESULTING PRIVATE SEWER SERVICE SHALL BE:
- APPROVED BY THE OFFICE OF ENVIRONMENTAL HEALTH, AND
  - DESIGNED FOR FUTURE CONNECTION TO A PUBLIC SYSTEM WHEN THE METROPOLITAN COMMISSION DETERMINES THAT A CONNECTION IS FEASIBLE, WHEN THE PRIVATE SEWER SERVICE SHALL BE DISCONTINUED AND THE PROPERTY SHALL BE CONNECTED TO THE PUBLIC SYSTEM.

**CRITICAL AREA NOTES:**

- APPROXIMATELY 64.25 ACRES OF THIS SITE LIE WITHIN MARYLAND'S CRITICAL AREA. ANY AND ALL DEVELOPMENT ACTIVITIES PROPOSED WITHIN THIS AREA ARE SUBJECT TO CRITICAL AREA REGULATIONS AND WILL NOT BE PERMITTED UNTIL ALL APPROPRIATE LOCAL, STATE AND FEDERAL AGENCIES HAVE CONDUCTED A THOROUGH ENVIRONMENTAL REVIEW AND HAVE APPROVED THE DEVELOPMENT PLAN.
- THE 100 FOOT CRITICAL AREA BUFFER MUST REMAIN IN NATURAL VEGETATION AND MAY NOT BE DISTURBED EXCEPT AS PROVIDED UNDER CHAPTER 41 OF THE ST. MARY'S COUNTY ZONING ORDINANCE.
- NO DEVELOPMENT IS PERMITTED IN WETLANDS WITHOUT APPROVAL FROM THE APPROPRIATE LOCAL, STATE AND FEDERAL AGENCIES.
- ALL EXISTING FOREST SHOWN HEREON SHALL REMAIN UNDISTURBED EXCEPT AS PERMITTED UNDER THE PROVISIONS OF THE ST. MARY'S COUNTY ZONING ORDINANCE. ANY AND ALL AFFORESTED OR REFORESTED AREAS CREATED UNDER THE PROVISIONS OF THE ST. MARY'S COUNTY ZONING ORDINANCE AND DESIGNATED ON THIS PLAT SHALL BE PRESERVED FROM FUTURE DISTURBANCE.
- RESOURCE PROTECTION STANDARDS PER CHAPTER 71 ARE EXCEEDED BY CRITICAL AREA REGULATIONS PER CHAPTER 41.

**OWNER'S DEDICATION**

THE PLATING OF THE FOLLOWING DESCRIBED LAND- PART OF THE PROPERTY AS CONVEYED UNTO THOMAS B. + KATHERINE D. WATTS BY A DEED DATED SEPTEMBER 22, 2003, FROM ANN LANTON KAPLAN AS RECORDED AMONG THE LAND RECORDS OF ST. MARY'S COUNTY, MARYLAND, IN LIBER E.W.A. 2121 AT FOLIO 031; AND THE CONVEYANCE OF LANTON COURT AS SHOWN HEREON IS WITH THE FREE CONSENT AND IS IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS, MORTGAGEES, AND TRUSTEES, IF ANY, LANTON COURT AND THE 10 FOOT DEDICATION ALONG MILLSTONE LANDING ROAD (2,306 SF.) WILL BE DEDICATED FOR PUBLIC USE TO THE BOARD OF THE COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY, MARYLAND, VIA THE RECORDING OF THIS PLAT.

WE, THOMAS B. + KATHERINE D. WATTS, OWNERS OF THE PROPERTY SHOWN HEREON AND DESCRIBED IN THE SURVEYOR'S CERTIFICATE AFFIXED HERETO, HEREBY ADOPT THIS PLAN OF SUBDIVISION UPON ITS APPROVAL BY ALL REQUIRED AGENCIES.

THERE ARE NO PENDING SUITS OR ACTIONS AT LAW, LEASES, LIENS, MORTGAGES OR DEEDS OF TRUST AFFECTING THIS SUBDIVISION EXCEPT AS NOTED OR SHOWN HEREON. ALL PARTIES IN INTEREST THERETO HAVE AFFIXED THEIR SIGNATURES INDICATING THEIR ASSENT TO THIS PLAN.

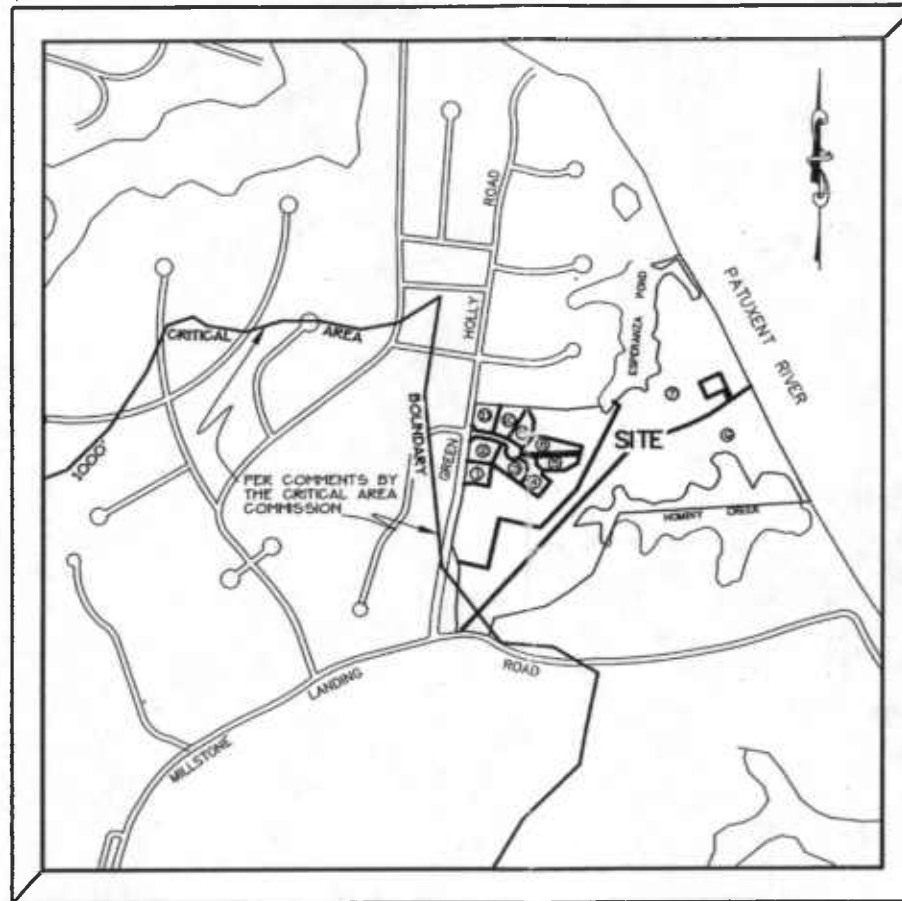
WE FURTHER ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES AS REQUIRED BY THE COMPREHENSIVE ZONING ORDINANCE AND DEDICATE THE STREETS, WALKWAYS, EASEMENTS, RIGHTS-OF-WAY AND OTHER IMPROVEMENTS, WHERE APPLICABLE, TO PUBLIC USE.

WE HEREBY GRANT UNTO THE ST. MARY'S COUNTY METROPOLITAN COMMISSION, ITS SUCCESSORS AND ASSIGNS, A RIGHT OF INGRESS AND EGRESS OVER, AND A PERPETUAL EASEMENT IN THE 10 FOOT WATERLINE AND/OR SEWER LINE EASEMENT ALONG ALL LOT LINES, AS WELL AS OTHERS THAT MAY BE SHOWN HEREON FOR CONSTRUCTION, INSTALLATION, MAINTENANCE, REPAIR, INSPECTION AND OPERATION OF PUBLIC WATER AND FUTURE SANITARY SEWER FACILITIES, SHOULD SUCH FACILITIES EVER BE INSTALLED.

THE REQUIREMENTS OF SECTION 3-108 ON THE ANNOTATED CODE OF MARYLAND (REAL PROPERTY ARTICLE) AS FAR AS IT CONCERNS THE MAKING OF THE PLAN AND SETTING OF THE MARKERS REQUIRED THEREIN HAVE BEEN COMPLIED WITH TO THE BEST OF OUR KNOWLEDGE, INFORMATION AND BELIEF.

*Thomas B. Watts* 5-21-08  
THOMAS B. WATTS DATE

*Katherine D. Watts* 5-22-08  
KATHERINE D. WATTS DATE



LOCATION MAP

SCALE: 1" = 600'

**SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THAT THE PLAT SHOWN HEREON IS CORRECT (SUBJECT TO OUR REVIEW OF A TITLE SEARCH) AND CONFORMS TO THE SPECIFICATIONS; THAT THIS IS A SUBDIVISION OF ALL OF THE PROPERTY AS CONVEYED UNTO THOMAS B. WATTS AND KATHERINE D. WATTS, BY DEED DATED SEPTEMBER 15, 2003, FROM ANN LANTON KAPLAN AND ZOE LANTON SMITH, AS RECORDED AMONG THE LAND RECORDS OF ST. MARY'S COUNTY, MARYLAND, IN LIBER E.W.A. 2121 AT FOLIO 031.

THE REQUIREMENTS OF SECTION 3-108 OF THE ANNOTATED CODE OF MARYLAND (REAL PROPERTY ARTICLE) AS FAR AS IT CONCERNS THE MAKING OF THE PLAN AND SETTING OF THE MARKERS REQUIRED THEREIN, HAVE BEEN COMPLIED WITH TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

*Herbert N. Redmond, Jr.*  
HERBERT N. REDMOND, JR.  
REG. MD. LAND SURVEYOR, NO. 10,665

May 23, 2008  
DATE

**DH Steffens Co.**  
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317 Charles Street  
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(Metro): (301) 870-3253  
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22335 Exploration Drive  
Suite 1020  
Lexington Park, Maryland 20653  
Telephone: (301) 862-2226  
Toll Free: (800) 331-1569  
Fax: (301) 862-2350



REVISIONS	03-01-05 REVISED SITE AREAS R/W
	ADDRESSED DFW + HD COMMENTS 3/24/05 RCW
	ADDRESSED DFW COMMENTS 3/24/05 RCW
	ADDRESSED LUGH COMMENTS 3/25/07 R/W
	ADDRESSED DFW COMMENTS 3/25/07 RCW

OWNER:		THOMAS + KATHERINE WATTS 46595 MILLSTONE LANDING RD. LEXINGTON PARK, MD 20653 E.W.A. 301-863-7061	
DESIGN	RWS	SHEET 1 OF 3	
DRAWN	RWS	DATE 2/02/04	53521-0401
CHECKED	RWS	SCALE AS SHOWN	5308-3521-042

P159042 MSA ssn 12529230-1 #04-128-608

COORDINATE TABLE		
POINT	NORTH	EAST
A	241427.64302	1473894.44137
B	241324.94574	1474187.92639
C	241330.74483	1474091.62407
D	241375.83400	1473943.03933

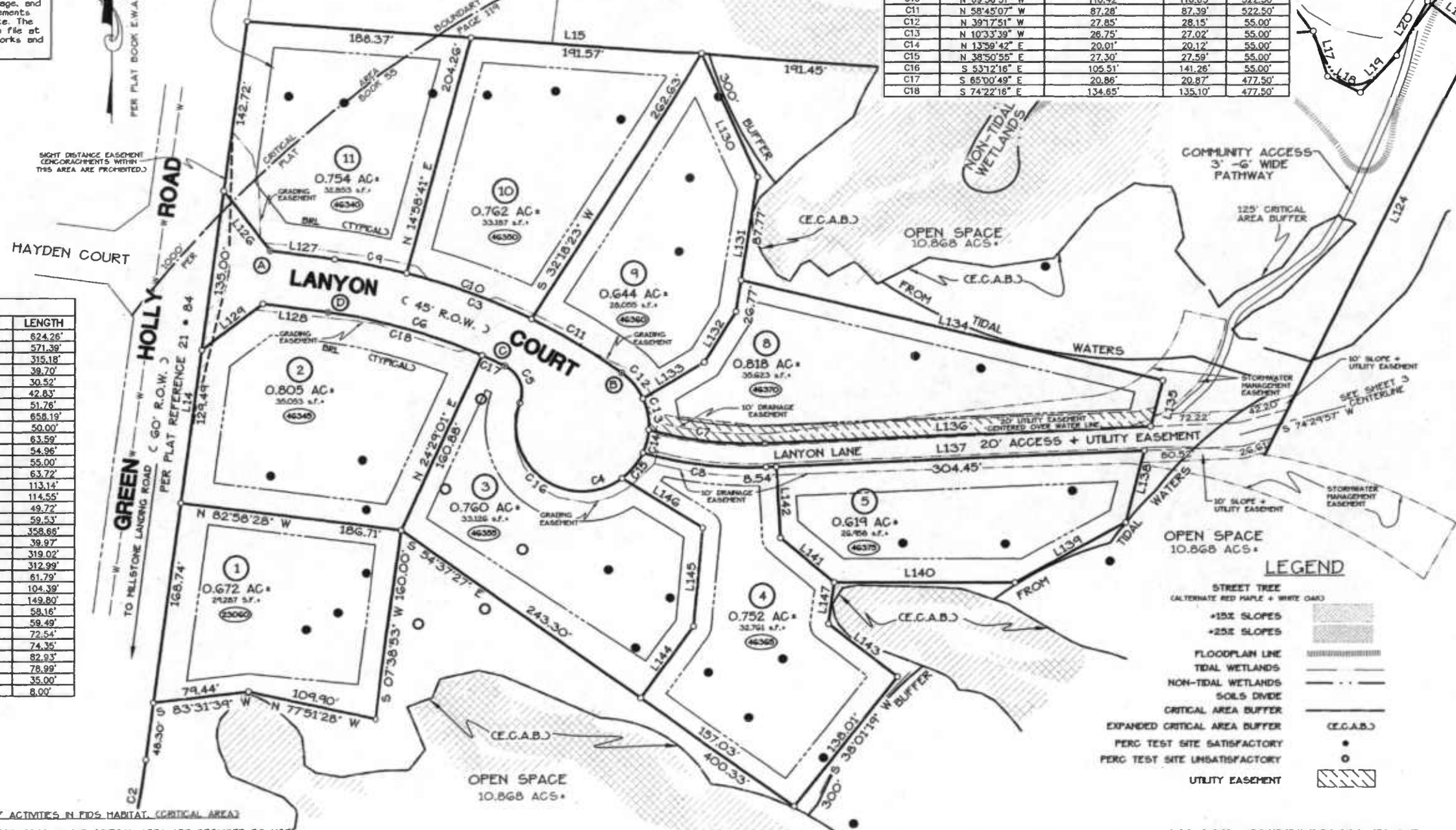
**NOTE:**  
The grading easements, drainage, and stormwater management easements shown hereon are approximate. The exact limits are as shown on file at the Department of Public Works and Transportation.

CURVE TABLE				
CURVE	CHORD BEARING	CHORD DISTANCE	LENGTH	RADIUS
C3	S 68°13'07" E	257.37	260.05'	522.50'
C4	S 73°12'20" W	87.66'	244.14'	55.00'
C5	N 21°41'42" W	33.50'	36.71'	25.00'
C6	N 73°07'09" W	155.28'	155.97'	477.50'
C7	N 83°13'43" W	97.45'	97.88'	300.33'
C8	S 83°17'41" E	103.21'	103.66'	320.33'
C9	N 79°04'31" W	62.00'	62.03'	522.50'
C10	N 89°36'31" W	110.42'	110.63'	522.50'
C11	N 58°45'07" W	87.28'	87.39'	522.50'
C12	N 39°17'51" W	27.85'	28.15'	55.00'
C13	N 103°33'39" W	26.75'	27.02'	55.00'
C14	N 13°59'42" E	20.01'	20.12'	55.00'
C15	N 38°50'55" E	27.30'	27.59'	55.00'
C16	S 53°12'18" E	105.91'	141.26'	55.00'
C17	S 85°00'49" E	20.86'	20.87'	477.50'
C18	S 74°22'16" E	134.65'	135.10'	477.50'

LINE TABLE		
LINE	BEARING	LENGTH
L14	N 07°37'04" E	624.26'
L15	S 85°51'52" E	571.39'
L16	N 83°59'08" E	315.18'
L17	S 17°24'21" E	39.70'
L18	S 63°49'56" E	30.52'
L19	N 44°11'58" E	42.83'
L20	N 29°10'02" E	51.76'
L124	N 26°14'48" E	658.19'
L125	N 52°52'39" W	50.00'
L126	S 37°25'48" E	63.59'
L127	S 82°28'36" E	54.96'
L128	N 82°28'36" W	55.00'
L129	S 52°35'39" W	63.72'
L130	S 24°30'04" E	113.14'
L131	S 08°52'54" W	114.55'
L132	S 31°44'07" W	49.72'
L133	S 59°17'51" W	59.53'
L134	S 76°28'21" E	358.66'
L135	S 14°12'41" W	39.97'
L136	S 87°26'05" W	319.02'
L137	N 87°26'05" E	312.99'
L138	S 14°12'41" W	61.79'
L139	S 60°56'10" W	104.39'
L140	N 90°00'00" E	149.80'
L141	S 49°44'03" E	58.16'
L142	S 03°25'26" E	59.49'
L143	S 52°25'07" E	72.54'
L144	S 36°05'34" W	74.35'
L145	S 05°11'58" W	82.93'
L146	S 58°20'04" E	78.99'
L147	S 07°34'47" E	35.00'
L148	N 36°05'34" W	8.00'

THIS AREA IS TO BE INCLUDED INSIDE THE CRITICAL AREA BOUNDARY PER COMMENTS BY THE CRITICAL AREA COMMISSION  
**ESPERANZA FARMS SECTION 7**  
**RESUB. LOTS 1-5**  
**PLAT BOOK O15 PAGE O21**  
**ZONED: RNC**  
**USE: RESIDENTIAL**

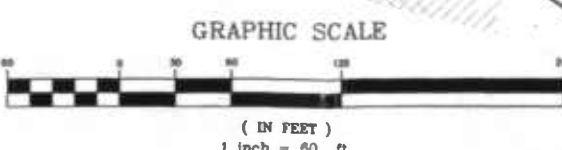
**ESPERANZA POND**  
**TIDAL WETLANDS**



**LEGEND**

STREET TREE (ALTERNATE RED MAPLE + WHITE OAK)	
+15% SLOPES	
+25% SLOPES	
FLOODPLAIN LINE	
TIDAL WETLANDS	
NON-TIDAL WETLANDS	
SOILS DIVIDE	
CRITICAL AREA BUFFER	
EXPANDED CRITICAL AREA BUFFER	
PERC TEST SITE SATISFACTORY	
PERC TEST SITE UNSATISFACTORY	
UTILITY EASEMENT	

- REGULATION OF ACTIVITIES IN FIDS HABITAT (CRITICAL AREA)**
1. APPLICANTS FOR PROJECTS IN THE CRITICAL AREA ARE REQUIRED TO USE AND FOLLOW THE GUIDANCE PUBLICATION OF FOREST INTERIOR DWELLING BIRDS ADOPTED BY THE CHESAPEAKE BAY CRITICAL AREA COMMISSION IN JUNE 2000, AS AMENDED.
  2. ACTIVITIES HAVING AN ADVERSE IMPACT UPON HABITATS REGULATED UNDER THIS CHAPTER (E.G. USE OF OFF-ROAD VEHICLES, INTENSIVE PUBLIC USE, VEHICLES, INTENSIVE PUBLIC USE, TIMBER HARVESTING, OR DEVELOPMENT ACTIVITIES) SHALL BE MINIMIZED DURING THE APR.-AUG. BREEDING SEASON.
  3. UNAVOIDABLE DEVELOPMENT ACTIVITIES OR OTHER DISTURBANCES DURING THE APR.-AUG. BREEDING SEASON SHALL BE FOCUSED ON THE PERIPHERY OF THE AREA (I.E. ROADS, UTILITY LINES, CORRIDORS, AND STRUCTURES).
  4. CONTINUOUS COVER OF BRANCHES + FOLIAGE FORMED BY THE CROWNS OF ADJACENT TREES (FOREST CANOPY) AND TREES AND SHRUBS UNDERNEATH THE CANOPY (UNDERSTORY VEGETATION) SHOULD BE RETAINED, INsofar AS IS PRACTICAL.
  5. STANDING DEAD TREES (SNAG TREES) SHOULD BE RETAINED FOR THEIR VALUE AS BIRD NESTING AND FEEDING HABITAT INsofar AS POSSIBLE.
  6. THE CREATION OF SMALL CLEARINGS THAT RESULT IN ADDITIONAL FOREST EDGE HABITAT SHOULD BE MINIMIZED.
  7. WHERE FOREST MUST BE CLEARED, THE CLEARED FOREST SHOULD BE ALLOWED OR ENCOURAGED TO RETURN TO NATIVE VEGETATION.
  8. DISTURBANCES ADJACENT TO OR NEAR THE MARYLAND GREEN INFRA-STRUCTURE NETWORK AS PREPARED BY THE DEPARTMENT OF NATURAL RESOURCES IN THE COUNTY SHOULD BE MINIMIZED INsofar AS POSSIBLE.



*George A. Gachon*  
12-3-08

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Suite 1020  
Lexington Park, Maryland 20653  
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Toll Free: (800) 331-1568  
Fax: (301) 862-2350



DATE: 02-23-05	DATE: 02-23-05	DATE: 02-23-05
BY: [Signature]	BY: [Signature]	BY: [Signature]
SCALE: 1" = 60'	SCALE: 1" = 60'	SCALE: 1" = 60'
SHEET 2 OF 3	SHEET 2 OF 3	SHEET 2 OF 3
PROJECT: 53521-0401	PROJECT: 53521-0401	PROJECT: 53521-0401

**MAJOR SUBDIVISION PLAT**  
**LOTS 1-5, AND 8-11**  
**GARDINER'S PLACE**  
**8th ELECTION DISTRICT**  
**ST. MARY'S COUNTY, MARYLAND**

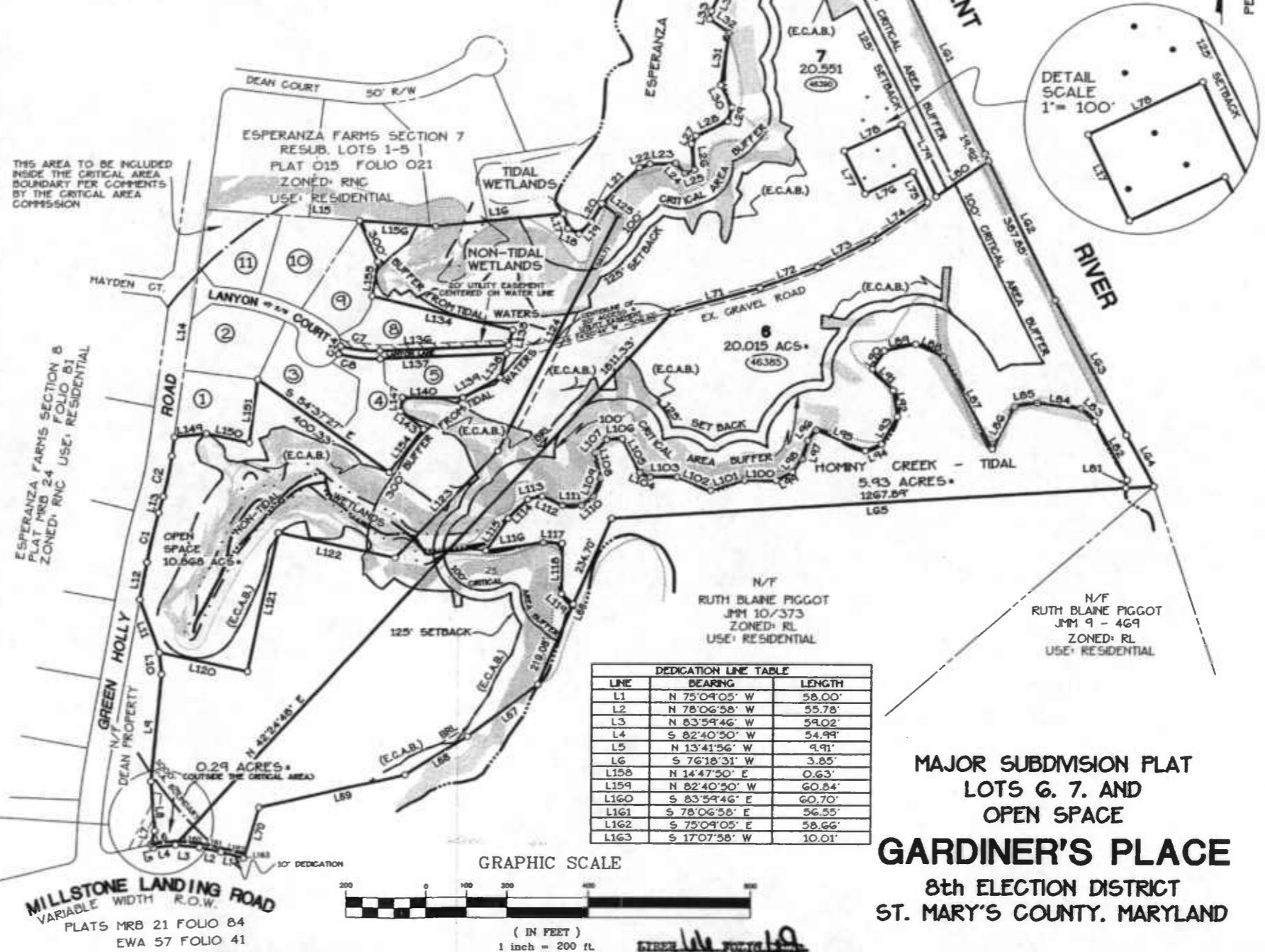
P.159048 MSA 55u 1252 9200 2  
LUGM #04-120-008

Maryland State Archives

LINE TABLE			LINE TABLE		
LINE	BEARING	LENGTH	LINE	BEARING	LENGTH
L1	N 75°04'05" W	58.00'	L73	N 62°56'47" E	150.00'
L2	N 78°06'58" W	55.78'	L74	N 54°58'20" E	165.12'
L3	N 83°59'46" W	59.02'	L75	N 25°20'49" W	85.16'
L4	S 82°40'30" W	54.99'	L76	S 64°39'11" W	130.00'
L5	N 13°41'56" W	9.91'	L77	N 25°20'49" W	120.00'
L6	S 76°18'31" W	3.85'	L78	N 64°39'11" E	155.00'
L7	N 14°47'50" E	34.09'	L79	S 25°20'49" E	200.90'
L8	N 04°29'31" W	123.71'	L80	S 54°58'20" W	157.08'
L9	N 05°17'37" E	269.90'	L81	N 07°46'58" E	20.17'
L10	N 06°03'00" W	54.34'	L82	N 28°46'05" W	166.99'
L11	N 20°06'41" W	141.01'	L83	N 47°44'32" W	47.29'
L12	N 10°04'44" E	95.68'	L84	N 82°36'14" W	108.04'
L13	N 15°20'24" E	42.16'	L85	S 80°24'52" W	56.32'
L14	N 07°37'04" E	624.26'	L86	S 27°16'10" W	119.18'
L15	S 85°51'52" E	571.39'	L87	N 27°49'21" W	261.51'
L16	N 83°59'08" E	315.18'	L88	N 66°11'55" W	75.06'
L17	S 17°24'21" E	39.70'	L89	S 77°40'47" W	78.08'
L18	S 63°49'56" E	30.52'	L90	S 32°30'51" W	53.95'
L19	N 44°11'58" E	42.83'	L91	S 43°31'47" E	74.21'
L20	N 29°10'02" E	51.76'	L92	S 08°54'40" E	66.72'
L21	N 45°04'41" E	129.63'	L93	S 29°09'53" W	77.81'
L22	N 71°12'07" E	27.75'	L94	S 67°16'41" W	43.49'
L23	N 88°08'37" E	63.27'	L95	N 66°44'17" W	130.94'
L24	S 42°52'47" E	34.34'	L96	S 37°36'41" W	34.21'
L25	N 69°46'20" E	25.25'	L97	S 14°58'05" W	47.10'
L26	N 07°28'53" W	65.85'	L98	S 37°36'22" W	40.92'
L27	N 29°03'41" E	23.54'	L99	S 61°48'12" W	45.09'
L28	N 65°31'18" E	86.52'	L100	S 89°35'25" W	77.74'
L29	N 15°14'25" E	36.39'	L101	S 72°57'58" W	86.34'
L30	N 26°39'42" W	63.29'	L102	N 68°17'47" W	89.86'
L31	N 08°46'56" E	131.90'	L103	N 89°56'12" W	66.05'
L32	N 54°26'47" W	59.79'	L104	N 67°55'30" W	27.77'
L33	N 12°31'07" E	20.54'	L105	N 27°32'23" W	95.67'
L34	N 26°04'50" E	52.06'	L106	S 87°05'31" W	38.27'
L35	N 04°42'44" E	90.19'	L107	S 41°23'09" W	43.84'
L36	N 16°50'09" W	69.65'	L108	S 12°35'41" E	64.58'
L37	N 12°30'19" E	50.90'	L109	S 20°51'35" W	49.39'
L38	N 02°36'40" E	78.38'	L110	S 50°24'34" W	36.50'
L39	N 29°03'00" E	60.91'	L111	N 89°40'36" W	46.94'
L40	N 37°50'05" E	42.50'	L112	N 65°44'31" W	54.86'
L41	N 74°11'43" E	49.64'	L113	S 77°42'58" W	36.19'
L42	S 45°35'36" E	111.07'	L114	S 45°00'18" W	67.17'
L43	S 37°08'08" E	63.98'	L115	S 34°02'11" W	98.72'
L44	S 22°37'12" E	69.12'	L116	N 81°38'35" E	143.27'
L45	N 69°51'46" E	54.28'	L117	S 88°00'19" E	46.04'
L46	N 01°00'56" W	41.52'	L118	S 00°19'40" W	127.50'
L47	N 38°25'09" W	102.12'	L119	S 48°51'32" E	38.96'
L48	N 30°06'05" W	178.64'	L120	S 77°46'18" E	224.57'
L49	S 53°02'56" W	75.46'	L121	N 12°13'42" E	357.14'
L50	S 61°48'42" W	62.39'	L122	S 77°46'18" E	297.12'
L51	N 72°55'07" W	63.63'	L123	N 43°06'52" E	368.79'
L52	N 20°30'20" W	14.86'	L124	N 26°14'48" E	658.19'
L53	N 76°10'49" E	16.16'	L125	N 52°52'39" W	50.00'
L54	N 74°56'32" E	70.89'	L130	S 24°30'04" E	113.14'
L55	N 72°58'06" E	65.97'	L134	S 76°28'21" E	358.66'
L56	N 55°48'58" E	48.51'	L135	S 14°12'41" W	39.97'
L57	N 76°32'54" E	12.84'	L136	N 87°26'05" E	319.02'
L58	S 27°33'24" E	38.11'	L137	N 87°26'05" E	312.99'
L59	S 30°46'08" E	302.75'	L138	S 14°12'41" W	61.79'
L60	S 30°32'42" E	160.13'	L139	N 60°56'10" E	104.39'
L61	S 25°25'29" E	541.00'	L140	N 90°00'00" E	149.80'
L62	S 25°31'01" E	407.78'	L143	S 52°25'07" E	72.54'
L63	S 27°47'07" E	380.16'	L147	S 07°34'47" E	35.00'
L64	S 28°04'53" E	145.73'	L148	N 36°05'34" W	8.00'
L65	S 86°23'19" W	1336.62'	L149	S 83°31'39" W	79.44'
L66	S 23°13'04" W	453.78'	L150	N 77°51'28" W	109.90'
L67	S 52°50'25" W	215.84'	L151	N 07°38'53" E	160.00'
L68	S 58°13'40" W	181.14'	L154	S 38°01'19" W	138.01'
L69	S 76°59'59" W	372.19'	L155	S 08°52'54" W	87.77'
L70	S 17°07'58" W	131.61'	L156	N 85°51'52" W	191.45'
L71	N 74°20'44" E	224.72'	L157	N 07°37'04" E	48.30'
L72	N 69°15'42" E	150.00'			

TOTAL TRACT AREA	64.54 ACRES+
TOTAL AREA WITHIN CRITICAL AREA	64.25 ACRES+
TOTAL AREA OUTSIDE CRITICAL AREA	0.29 ACRES+
TOTAL FAST LAND IN CRITICAL AREA	58.86 ACRES+
TOTAL AREA OF DEVELOPMENT ENVELOPE	7.17 ACRES+
TOTAL AREA INSIDE HORNBY CREEK	7.17 ACRES+
TOTAL AREA IN NON-TIDAL WETLANDS	1.38 ACRES+
TOTAL AREA FORESTED	92.33 ACRES+

CURVE TABLE				
CURVE	CHORD BEARING	CHORD DISTANCE	LENGTH	RADIUS
C1	N 12°45'04" E	127.26'	127.30'	1407.56'
C2	N 11°28'44" E	103.63'	103.91'	770.84'
C7	S 83°13'43" E	97.45'	97.88'	300.33'
C8	S 83°17'41" E	103.21'	103.65'	320.33'
C14	N 13°59'42" E	20.01'	20.12'	50.00'



**LEGEND**

- EXPANDED CRITICAL AREA BUFFER (E.C.A.B.)
- PERC TEST SITE SATISFACTORY
- PERC TEST SITE UNSATISFACTORY
- +15% SLOPES
- +25% SLOPES
- PERENNIAL/INTERMITTENT STREAMS (WATERS OF THE UNITED STATES)
- FLOODPLAIN LINE
- TIDAL WETLANDS
- NON-TIDAL WETLANDS
- 1000' CRITICAL AREA LINE
- CRITICAL AREA BUFFER
- 300' BUFFER

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Toll Free: (800) 331-1568  
Fax: (301) 862-2350



REVISIONS	DATE	BY
DPW & HD COMMENTS 3/29/05 RCP		
DPW COMMENTS 6/9/05 RCP		
COMMENTS 1/23/06 RCP		
DPW COMMENTS 3/28/07 RCP		

OWNER	THOMAS + KATHERINE WATTS	
	46595 MILLSTONE LANDING RD.	
	LEXINGTON PARK, MD. 20653	
	E.W.A. 2121-031	
	301-863-7061	
DRAWN	RVB	SHEET 3 OF 3
DATE	02-17-05	53521-0701
CHECKED	RVB	SCALE 1" = 200'
		5408-3521-042



# D.H. STEFFENS COMPANY

LAND SURVEYORS ■ ENGINEERS ■ LAND PLANNERS  
 Telephone: (301) 862-2226 22335 Exploration Park Drive  
 (800) 331-1568 Suite 1020  
 FAX: (301) 862-2350 Lexington Park, MD 20653

TO: St. Mary's County  
 Department of Land Use &  
 Growth Management  
 P.O. Box 653  
 Leonardtown, MD 20650

Date: October 19, 2010 Job #: S3521-1001

Project: Gardiner's Place

DHS File #: SM08-3521-042

OPZ #: 04-120-008

ATTN: Sue Veith

**We are enclosing herewith:**

- PRINTS       TRACINGS       COMPUTATIONS       DESCRIPTIONS  
 SPECIFICATIONS       APPLICATIONS       OTHER

Via:  MAIL       INSURED       BY HAND       MESSENGER       PICK UP

For:  APPROVAL       REVIEW       YOUR USE

QTY	DESCRIPTION
3	Prints of limits of dirturbance
1	FIDS Worksheet

*Hand delivered by K.P. to CAC 10/22/2010*

REMARKS:

D. H. STEFFENS CO.

CC: File

BY: Michael A. Bailey, Sr.  
 Assistant Branch Manager  
 Survey Director  
 St. Mary's Division

**KINDLY NOTIFY US AT ONCE IF ENCLOSURES ARE NOT AS NOTED**

## Gardiner's Place

APPENDIX D

### FIDS CONSERVATION WORKSHEET

**Parcel size** 58.55 total acreage  
58.30 Critical Area acreage

#### Existing

Forest cover 58.83 total contiguous acreage  
Forest cover 55.58 total acres CA *A.*  
FIDS habitat\* 55.58 total acres CA  
FIDS interior 44.65 acres CA

Calculate interior by subtracting out a 300 ft. edge.\*\*

If Available: \_\_\_\_\_ acreage of contiguous forest area both in and out of the CA within a 3-mile radius.

#### Post development

Forest cover 47.54 total acres CA  
FIDS habitat 47.54 total acres CA  
Interior habitat remaining 35.15 acres CA  
Interior acreage

#### \*How to Identify FIDS Habitat

Assume FIDS habitat is present if a forest meets either of the following minimum conditions:

Forests at least 50 acres in size with 10 or more acres of forest interior (see below to calculate interior) habitat. The majority of the forest tracts should be dominated by pole-sized or larger trees (5 inches or more in diameter at breast height), or have a closed canopy; or

Riparian forests at least 50 acres in size with an average total width of at least 300 feet. The stream within the riparian forest should be perennial, based on field surveys or as indicated on the most recent 7.5 minute USGS topographic maps. The majority of the forest tracts should be dominated by pole-sized or larger trees, or have a closed canopy.

In lieu of using the above criteria for determining if FIDS habitat is present, a FIDS survey may be done by a qualified FIDS observer. See page 12 of the Guidance Document for the procedures to be followed. You may contact the Maryland Department of Natural Resources, Forest Wildlife Divisions or the Critical Area Commission for a list of

qualified observers.

**\*\*How to Measure the amount of forest interior and forest edge**

To determine the amount of interior in a forest, the edge of 300 feet is subtracted from the total contiguous forest. The area left is forest interior provided it is at least ten acres in size.

When measuring forest edge, do not include natural forest edges such as those adjacent to open water, nonforested wetlands and streams. Riparian forests of 300 feet or greater are considered interior habitat when calculating FIDS habitat in the Critical Area provided that they have a minimum of 50 contiguous acres or are connected to a forest that has been determined to be FIDS habitat.

**Please answer the following questions regarding the FIDS Site Design Guidelines and how they were applied to the project.**

- 1 Has development (e.g., house, septic reserve areas, driveway) been restricted to nonforested areas? Yes \_\_\_ No X
- If no, explain  
ENTIRE SITE WAS FORESTED
- 
2. If development has not been restricted to nonforested areas, has development been restricted to:
- a. perimeter of the forest within 300 feet of the forest edge? Yes \_\_\_ No X
- b. thin strips of upland forest less than 300 feet wide? Yes \_\_\_ No X
- c. isolated forest less than 50 acres in size? Yes \_\_\_ No X
- d. portions of the forest with low quality FIDS habitat, (e.g., areas that are heavily fragmented, relatively young, exhibit low structural diversity, etc.)? Yes X No \_\_\_
3. Have new lots been restricted to existing nonforested areas and/or forests as described in #2 above? Yes \_\_\_ No X
- If no, please explain how property owners will be prevented from clearing in the FIDS habitat on their property (i.e., protective covenants/easements)?



AN EASEMENT WILL BE ESTABLISHED

---

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4. Will forest removal be limited to the footprint of the house and that which will be necessary for the placement of roads and driveways? Yes \_\_\_ No X
5. Have the number and lengths of roads been minimized? Yes X No \_\_\_
6. Have the width of roads and driveways been reduced to 25 feet and 15 feet respectively? Yes X No \_\_\_

If no, explain

AND SEPTIC EASEMENTS

---

---

---

7. Will the forest canopy be maintained over roads and driveways? (Maintained over Lanyon Lane.) Yes X No X
8. Will the forest canopy be maintained up to the edge of roads and driveway? Yes X No \_\_\_
9. Will at least 80% of the forest interior be maintained after development? Yes \_\_\_ No X

If no, indicate percentage of forest interior that will be maintained: 78.7%

10. Are there special conditions on the site that limit where houses and other development activities may be located such as wetlands, steep slopes, etc.? If so, please identify and explain.  
YES- SHOWN ON PLATS, NO DEVELOPMENT PROPOSED.
- 
- 
- 

11. Do you believe that the *Site Design Guidelines* have been followed and that FIDS habitat has been conserved on this site? Yes X No \_\_\_

**MITIGATION REQUIREMENTS**

If the *Site Design Guidelines* have been followed the required mitigation will be the creation of FIDS habitat equal to the acreage being directly cut or disturbed. (See pages 27 - 28 for specific mitigation options and criteria.)

Enter acreage of FIDS habitat that is being directly impacted 5.83 acres.

**THIS IS YOUR MITIGATION REQUIREMENT WHEN THE SITE DESIGN GUIDELINES ARE FOLLOWED.**

If the *Site Design Guidelines* have not been followed complete the following.

- A. Pre-development FIDS habitat \_\_\_\_\_ acres.
- B. Post development FIDS habitat \_\_\_\_\_ acres.
- C. Pre-development FIDS habitat interior \_\_\_\_\_ acres.
- D. Post development FIDS habitat interior \_\_\_\_\_ acres.
- E. FIDS habitat being directly impacted \_\_\_\_\_ acres.  
(Subtract B from A)
- F. Interior lost due to development \_\_\_\_\_ acres.  
(Subtract D from C)
- G. Multiply F. times two (2) \_\_\_\_\_ acres and add to E.= \_\_\_\_\_ acres.

**THIS IS YOUR MITIGATION REQUIREMENT WHEN THE DEVELOPMNT GUIDELINES HAVE NOT BEEN MET.**

6. Minimize the number and length of driveways and roads.
7. Roads and driveways should be as narrow and as short as possible; preferably less than 25 and 15 feet, respectively
8. Maintain forest canopy closure over roads and driveways.
9. Maintain forest habitat up to the edges of roads and driveways; do not create or maintain mowed grassy berms.
10. Maintain or create wildlife corridors.
11. Do not remove or disturb forest habitat during April-August, the breeding season for most FIDS. This seasonal restriction may be expanded to February-August if certain early nesting FIDS (e.g., Barred Owl) are present.
12. Landscape homes with native trees, shrubs and other plants and/or encourage homeowners to do so.
13. Encourage homeowners to keep pet cats indoors or, if taken outside, kept on a leash or inside a fenced area.
14. In forested areas reserved from development, promote the development of a diverse forest understory by removing livestock from forested areas and controlling white-tailed deer populations. Do not mow the forest understory or remove woody debris and snags.
15. Afforestation efforts should target a) riparian or streamside areas that lack woody vegetative buffers, b) forested riparian areas less than 300 feet wide, and c) gaps or peninsulas of nonforested habitat within or adjacent to existing FIDS habitat.

The Critical Area Commission's document "A Guide to the Conservation of Forest Interior Dwelling Birds in the Chesapeake Bay Critical Area" provides details on development standards and information about mitigation for projects where impacts to FIDS habitat cannot be totally avoided. Mitigation plantings for impacts to FIDS habitat may be required under the local government's Critical Area Program. The amount of mitigation required is generally based in whether or not the guidelines listed above are followed.

However, the open waters that are adjacent to or part of the site are known historic waterfowl concentration areas. If there is to be any construction of water-dependent facilities please contact Mr. Larry Hindman, Waterfowl Project Manager at (410) 827-8612, for technical assistance regarding waterfowl.

Thank you for allowing us the opportunity to review this project. If you should have any further questions regarding this information, please contact me at (410) 260-8573.

Sincerely,

Lori A. Byrne,  
Environmental Review Coordinator  
Wildlife and Heritage Service  
MD Dept. of Natural Resources

ER #2004.0853.sm

cc: L. Hindman, DNR  
R. Esslinger, CAC