

CA 539-05
SUB:

Bishop, Edward
99-28

MSA-S-1829-4874

Ret
5/9/18
Symon

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/

August 16, 2005

Ms. Olivia Vidotto
Calvert County Department of Planning and Zoning
150 Main Street
Prince Frederick, Maryland 20678

Re: MSD-99-28 Bishop Intra-family Transfer
Tax Map 42, Parcel 104

Dear Ms. Vidotto:

Thank you for providing information on the above referenced minor subdivision and intra-family transfer request. The applicant is proposing to create a 1.34-acre Lot. The parent parcel is approximately 16.37 acres and is located within a Resource Conservation Area (RCA).

Based on the information provided, we have the following comments regarding the subdivision proposal.

- 1) There is currently no notation on the plat which indicates that this subdivision is proposed as an intra-family transfer request. Please have the applicant note this on the plat, as well as provide the name of the family member to whom the lot will be transferred.
- 2) There is no information provided regarding the existing impervious surface areas on Parcel 104. Please have the applicant provide this information, including the road areas and driveways. Please advise the applicant that the newly created lot (Lot 2) will be required to remain within the 15% impervious surface area limit.
- 3) Please have the applicant provide information on the plat as to the existing forest cover on proposed Lot 2. While the Critical Area Form submitted with the application indicates that 1.34 acres of the site exists in forest cover, the proposed lot is only 1.0139 acres in size. Please clarify the area that the 1.34 acres describes.

Olivia Vidotto
MSD99-28 Bishop
August 16, 2005
Page 2

- 4) The applicant will be required to obtain an evaluation of the property by the Maryland Department of Natural Resources (DNR) for the presence of any rare, threatened or endangered species. If present, the applicant will be required to address any recommendations made by DNR for the protection of the species, via the submittal of a Habitat Protection Plan (HPP). Please note that MERLIN indicates that the property and proposed lot area lie within a sensitive species review area. I have included a copy of this map for your reference.

Thank you for the opportunity to provide comments for this subdivision and intra-family transfer request. Please have the applicant address the above concerns and submit a revised site plan as necessary. Please contact me at (410) 260-3482 if you have any questions.

Sincerely,



Kerrie L. Gallo
Natural Resource Planner
CA539-05

Cc: Paula Proctor (Calvert County)

Keep?

CRITICAL AREA FORM

Please fill in the appropriate blanks or check box the appropriate answer if the property is in the Critical Area (all land within 1,000 feet of the Mean High Water Line of the Chesapeake Bay, it's tributaries or the landward boundary of an adjacent wetland is considered to be within the Critical Area).

Your application for development will not be considered complete until the following form has been filled out and submitted to the Department of Planning and Zoning.

Owners Name: Edward A Bishop & Emily J. Bishop Telephone: (410) 326-3526
 Address: 11695 Mill Bridge Rd., Lusby, MD 20657
 Location of Property to be developed South side of Mill Branch Rd approx. 4,500' west of MD Rte 4

Tax Map#: 42 Parcel #: 104 Lot#: _____ Grid#: 16

1. Tax ID #: 01-001531

2. Subdivision Name: Bishop Property

3. Property is designated: Intensely Developed (IDA)
 Limited Developed (LDA)
 Resource Conservation (RCA)

To find out what your property is designated, consult the Critical Area Map in the Department of Planning and Zoning.

4. Type of development being proposed. Check all that apply.

Residential Redevelopment Commercial
 Industrial Mixed

5. Project category

Existing Lot Subdivision which creates buildable lots
 Site Plan Subdivision which does not create buildable lots

6. Total acreage of property: 16.37 Ac.

RECEIVED

AUG 4 2005

CRITICAL AREA COMMISSION

7. Total acreage of property within the Critical Area

IDA _____ LDA _____ RCA 1.34 AC.

8. Total acreage being disturbed within the Critical Area 0.0 AC.

SUBDIVISION

9. Number of lots to be created in the Critical Area

1

10. Number of dwelling units to be created in the Critical Area

0

11. Minimum lot size in the Critical Area

N/A

12. Maximum lot size in the Critical Area

N/A

13. Average lot size in the Critical Area

N/A

14. Linear length of waterfront in feet of original parcel

N/A

15. Is this an intrafamily transfer?

Yes

No

16. If a subdivision, is cluster development being used?

Yes

No

If yes, how many acres of open space will be created by the clustering?

17. If a subdivision, how many acres of recreation area will be provided?

0

GROWTH ALLOCATION

18. Is use of the growth allocation necessary

Yes

No

19. How many acres of growth allocation are you requesting?

20. Are all non-water dependent uses more than 300 feet from the water?

Yes

No

STAFF USE ONLY

21. Number of acres of growth allocation approved _____

WETLANDS

22. Identify wetlands (tidal and non-tidal rivers, bays, streams, marshlands, swamps, bogs, etc.), hydric soils and highly erodible soils on plat.

23. Is site adjacent to or does it include within its boundary any tidal waters or wetlands or non-tidal streams that are tributaries to tidalwaters?

Yes

No

If yes, identify wetland buffer on plat according to section 8-2.03A (Floodplain), 8-2.05A, C and D (Wetlands) of the Zoning Ordinance.

24. Is site adjacent to or does it include within its boundary any non-tidal waters or wetlands? Yes No

If yes, identify wetland buffer on plat according to section 8-2.05D (Wetland Buffer)

25. Is any disturbance to the buffer proposed? Yes No

If yes, then either a Buffer Management Permit or a variance may be necessary

FOREST LAND / BUFFER

26. Is site within a Buffer Exempt area? Yes No

If yes, what is the shortest distance between mean high water and any existing structure on adjacent lots or parcels? _____

27. Is the following shown on plat? Yes No

Identify vegetated areas (marshes, forests) on plat.

- a. How many acres of site are covered by forest? 1.34
b. How many acres of forest are proposed for clearing? 0.0
c. How many acres of forest will be replanted on site? 0.0 (LDA and RCA only).

A maximum of 30% of the forest can be removed though replantings and/or Fees-in-Lieu shall be required.

28. 15% or greater of the site covered with forest? Yes No

(LDA & RCA only) 15% of the site shall be maintained or planted in trees and this fact shall be recorded with the record plat. How many acres will be replanted? 0.0

29. Does the site have slopes greater than or equal to 15% Yes No

(LDA & RCA only) Slopes greater than or equal to 15% shall be shaded on the plat and development shall be prohibited in these areas (section 8-2.07 Steep Slopes)

Keep?



Subdivision Application

Calvert County, Maryland
Department of Planning and Zoning
150 Main Street
Prince Frederick, MD 20678

Phone: (410)535-2348 or (301)855-1243 TDD: (410)535-6355
Fax: (410)414-3092 Email: pz@co.cal.md.us

Notice! Separate applications must be filed with the following agencies if applicable to the subdivision. Other agency permits may be necessary:

- Environmental Health for drainfield percolation tests
- State and Federal wetland permits for developments involving wetlands
- State Highway Administration for access permits on state roads

Note: All information must be completed if applicable. Incomplete applications/forms/checklists, plans, etc. will result in the entire submittal package being returned to the engineer.

PROJECT INFORMATION

Project Name: Bishop Property

Planning and Zoning Case No: _____ (Assigned by P & Z at concept plan review)

Type of Subdivision: Residential Commercial Industrial Mixed Use

Subdivision Type: Major Minor (Major subdivisions involve more than 5 lots or a public road)

Utilities: Public Sewer Septic System Public Water Well

FOR RUR, R-1, R-2 ZONE:

Maximum # of Conventional Lots: ^{15.68} ~~#~~ 4 = 3¹ new base density

TDR Conventional Lots _____ + Transfer Zone Lots (if permitted) = 0² Total lots requiring TDR's

Total Lots Proposed: 1 (¹ + ² total)

TOWN CENTER - (see Town Center Chart) Maximum Density of _____ units per acre

Proposed Density _____ = _____ units per acre Number of TDR's required: _____

Mandatory clustering per Articles 2-10.01.E or 5-2.01 Optional Clustered subdivision yes no

Average Lot Size: 1.01 Total Acreage 16.43 - Wetland acreage .55 = 15.88 acreage to calculate density

1. Total Acreage in Lots: 1.01 + .59 (P.A.)

2. Total Acreage in Open Space*: 0 Total open space provided: _____ (items 3,4,6)
(*not counting R/W or private lanes or rec area)

3. Total Acreage in R/W & Widening Strips: 0

4. Total Acreage in Private Lanes: 0

5. Total Acreage in Recreation Area: 0

6. Total Acreage in Residue (if any): 14.77

Total Acreage: 16.43 (items 1-6 should equal this amount)

Multi-Family Subdivision Information (if applicable):

If subdivision involves multi-family units provide the number of units and the density. To obtain the density divide the total number units by the acreage involved with each unit type):

Townhouses: _____ (Density _____ units per acre)

Apartments: _____ (Density _____ units per acre)

Duplexes: _____ (Density _____ units per acre)

RECEIVED

AUG 4 2005

CRITICAL AREA COMMISSION

P & Z CASE NO: _____

PROPERTY INFORMATION

Location (Postal Area / City): 20657/Losby

Primary Zoning District: R1 Overlay Zoning/Subdistrict: N/A

Road Frontage(s): Mill Edge Rd

Road Type: SHA County Private Election District: 1 Community Planning District: 15

Is Subdivision within Critical Area?: Yes No

If so, which district? IDA LDA LDA3 RCA Acreage in Critical Area: 1.34 Ac.

Parcel Information (parcels included in the subdivision):

Tap Map. No	Parcel No.	Tax ID No.	Lot (if any)	Block (if any)	Section (if any)
<u>42</u>	<u>104</u>	<u>01-001531</u>			

Current or Past Applications (if any):

Application	Case #	Resolution #	Action Date
Rezoning			
Board of Appeals			
Subdivision			
Transfer Zone			
Agricultural Preservation District			
Historic District			
Historic Sites Survey			
Previous Site Plan Review			
Other			
Other			

Family Conveyance – Check any & all boxes if applicable:

- For access & R/W *
 - For lots created that would require purchase of TDR's *
 - Intra-family for forest conservation requirements (Declaration of Intent required with final plat)
 - Intra-family transfer for critical area requirements *
- * Requires Family Conveyance Affidavit with final plat)

OWNER AUTHORIZATION

P&Z CASE NO: _____

I/We the undersigned and the owners of the property described above do hereby submit this application for subdivision and authorize the agent(s) listed below to act on my/our behalf. I/ We also authorize and give consent to entry upon the subject property by review agencies staff and/or board members to the extent necessary to evaluate and act upon this application. In the event the applicant withdraws this authorization to enter, this application shall be deemed withdrawn in its entirety. (If there are more than two owners, please attach a supplemental signature form.)

Owner's corporation (if any): _____

Print or type First Name: Edward Last Name: Bishop

Signature: Deceased Date: _____

Print or type First Name: Emily Last Name: Bishop

Signature: X Emily Bishop Date: 6-14-05

Address: 11645 Mill Bridge Rd Phone: (410) 326-3526

City: Lusby State: MD Zip Code: 20657

APPLICANT INFORMATION & AUTHORIZATION (if different than owner)

I/ We the undersigned do hereby submit this application for subdivision and authorize the agent listed below to act on my/our behalf. (If there are more than two applicants, please attach a supplemental signature form.)

Applicant's corporation (if any): _____

Print or type First Name: _____ Last Name: _____

Signature: _____ Date: _____

Print of type First Name: _____ Last Name: _____

Signature: _____ Date: _____

Address: _____ Phone: _____

City: _____ State: _____ Zip Code: _____

AGENT CERTIFICATION

I certify that the information, attachments and plans submitted herewith are true and correct to the best of my knowledge and ability. I file this application and will act on behalf of the owner(s) and applicant(s) listed above.

Print or type First Name: Kevin Last Name: Shaver

Signature: [Signature] Date: _____

Agent's corporation (if any): Wilkinson & Associates, Inc.

Address: P.O. Box 17

City: Dunkirk State: MD Zip Code: 20754

Phone: (410) 257-3332 Fax: (301) 855-8380 Email: kshaver@wilkinsonassociates.com

Agent Notes: _____

SUBDIVISION LETTER OF EXPLANATION

Planning and Zoning Case No: _____

1. Reduction / waiver request for any of the following (please list with an explanation and justification); wetlands report, wetland buffer, swm and front roadway buffer.

is waiver to wetlands jurisdiction determination - proposed subdivision does not include any development activity near the wetlands. There is more than adequate property to the the density for one lot.

2. Focal Point _____ N/A

3. Recreation Requirements _____ N/A

Recreation Proposed _____ N/A

4. Fencing Requirement (list all adjacent parcels by tax map and parcel number that are in an agricultural program or assessed as an agricultural use _____ N/A

5. List all structures, barns, houses, etc. that exist, note if any 50 years or older and specify retention or removal _____ N/A

6. Comments/explanation for anything not listed above that needs to be brought to any review agencies attention: _____ N/A

RECEIVED

AUG 4 2005

CRITICAL AREA COMMISSION

NOTES

- The purpose of this subdivision plan is to create a buildable lot.
- There are conservation areas shown on this plan. These areas include, but are not limited to, improperly drained soils, adverse soil formations, steep slopes (25% or greater and 15% or greater in Critical Area) and erodible soils. A minimum 10' setback must be provided adjacent to the conservation areas. These land areas may not be developed, unless the property owner receives the approval of the Planning Commission. With recommendations from the appropriate County agencies.
- There are non-tidal wetlands shown on this plan. The non-tidal wetland and associated buffer areas are to be left undisturbed in perpetuity and to serve for water quality benefits.
- There are no 100-year floodplain shown on this subdivision plan. Per FEMA map 240011 0029B.
- Forest Retention Areas (FRA) are to be left undisturbed, unless appropriate approval or permits have been obtained for the removal of trees and/or understory vegetation. Timber harvests may occur within the FRA with these approvals or permits. Otherwise, no equipment, machinery, vehicles, Materials, stockpiling or structures are allowed within the FRA.
- The Developer/Contractor shall notify the Historic Resources Planner, if during construction, any archaeological artifacts are discovered on-site.
- Storm Water Management will be done at time of site plan.
- Topography Source: County digital orthographic.

LINE TABLE		
LINE	LENGTH	BEARING
L1	18.01	N17°54'18"W
L2	73.26	N2°31'17"E
L3	79.10	N17°18'52"E
L4	46.18	N03°53'11"E
L5	31.88	N18°49'41"W

LEGEND

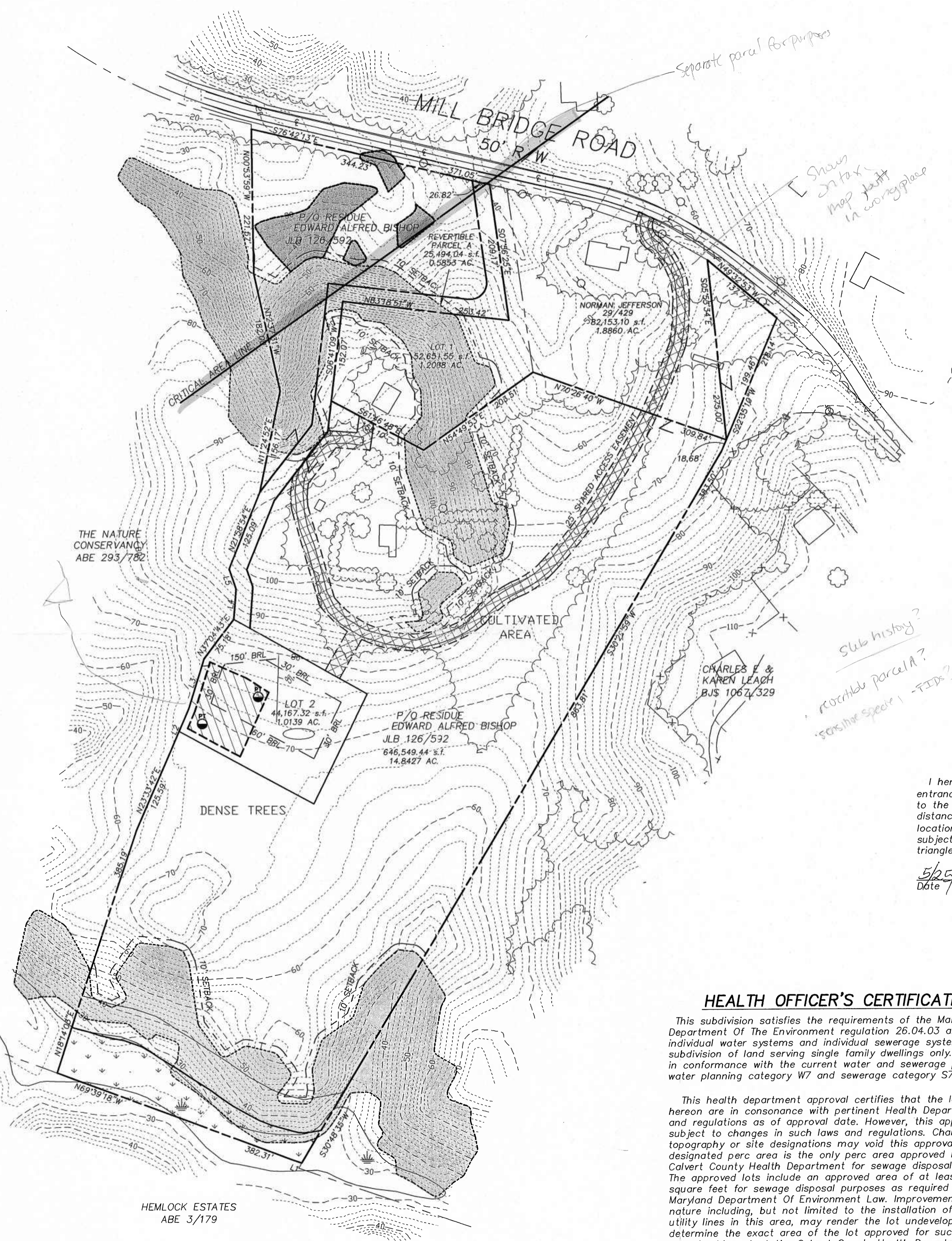
- DENOTES 10' CONTOUR
- DENOTES 2' CONTOUR
- DENOTES BUILDING RESTRICTION LINES
- DENOTES ASSIGNED HOUSE NUMBER
- DENOTES 10,000 sf SEPTIC RECOVERY AREA
- DENOTES NON-TIDAL WETLANDS
- DENOTES SAT TEST
- DENOTES EXISTING DRIVEWAY
- DENOTES EXISTING BUILDING
- DENOTES 25% STEEP SLOPES
- DENOTES 15% STEEP SLOPES
- DENOTES 25' SHARED ACCESS EASEMENT

TABULATION

RESIDUE:	646,549.44 s.f.	14.8427 AC.
PARCEL A:	24,957.49 s.f.	0.5729 AC.
LOT 2:	44,167.32 s.f.	1.0139 AC.
TOTAL AREA:	715,674.26 s.f.	16.4296 AC.
WETLAND AREA:	24,036.52 s.f.	0.5518 AC.
EXISTING FOREST:	763,954.56 s.f.	12.3347 AC.
CRITICAL AREA:	58,379.77 s.f.	1.3402 AC.

OWNER

LEILA BISHOP
11695 MILL BRIDGE RD.
LUSBY, MD 20657
410-326-3526



SETBACKS

FRONT	60'
SIDE	30'
REAR	60'

SIGHT DISTANCE CERTIFICATE

I hereby certify that the sight distance of the existing driveway entrance to the Bishop Property is 200'± to the East and 600'± to the West subject to trimming of vegetation within the sight distance triangle. Sight distance of the proposed entrance location to Lot 2 is 300'± to the East and 600'± to the West subject to trimming of vegetation within the sight distance triangle. The posted speed of Mill Bridge Road is mph.

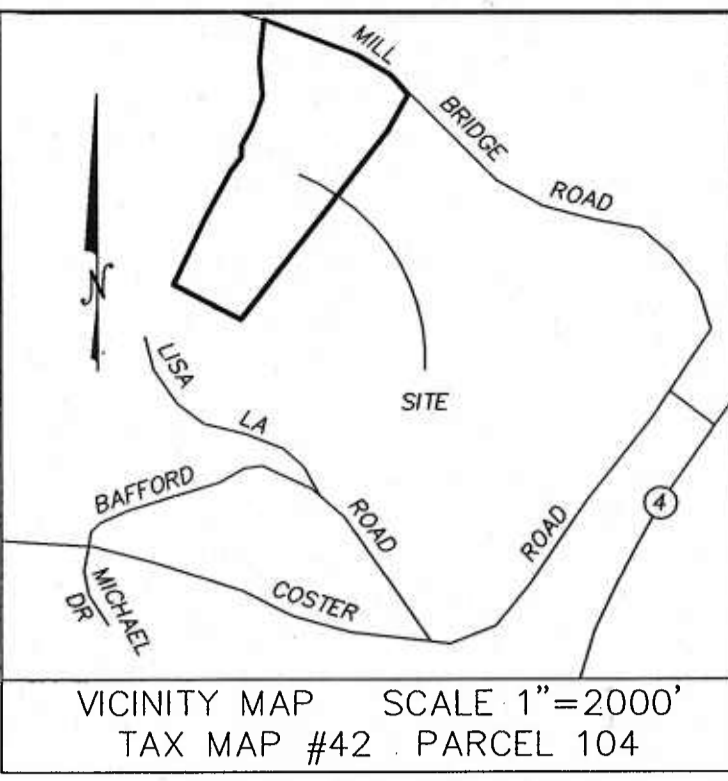
5/25/05 Arthur E. Cochran
Date ARTHUR E. COCHRAN

HEALTH OFFICER'S CERTIFICATE

This subdivision satisfies the requirements of the Maryland Department Of The Environment regulation 26.04.03 allowing for individual water systems and individual sewerage systems in the subdivision of land serving single family dwellings only. And it is in conformance with the current water and sewerage plan for water planning category W7 and sewerage category S7.

This health department approval certifies that the lots shown hereon are in consonance with pertinent Health Department laws and regulations as of 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 area is the only perc area approved by the Calvert County Health Department for sewage disposal purposes. The approved lots include an approved area of at least 10,000 square feet for sewage disposal purposes as required by current Maryland Department Of Environment Law. Improvements of any nature including, but not limited to the installation of other utility lines in this area, may render the lot undevelopable. To determine the exact area of the lot approved for such purposes, you should contact the Calvert County Health Department, Office Of Environmental Health.

HEALTH DEPARTMENT
DATE:
HEALTH OFFICER
DIR. ENV. HEALTH
SANITARIAN



VICINITY MAP SCALE 1"=2000'
TAX MAP #42 PARCEL 104
TAX ACCT # 01-001531

Subdivision History

- ~1854 - Norman Jefferson parcel - conveyed by deed (1.8860 AC)
- ~1885 - Lot 1 - created by Plat
- ~1900s Parcel A - created to provide road frontage to Lot 2 -> will be reabsorbed into parent parcel when new right-of-way is created at E. property line (per Kevin Shaver - cellist)
- ~ Lot 1 - Norman Jefferson shown on tax maps but in wrong place

WILKERSON & ASSOCIATES INC.
ENGINEERS & SURVEYORS
Box 17 Dunkirk, Maryland
(410)257-3332, (301)955-8272

PRELIMINARY PLAN

BISHOP PROPERTY

SITUATED ON THE SOUTH SIDE OF MILL BRIDGE ROAD IN LUSBY
1st DISTRICT, CALVERT CO., MD

MARCH 2005

SCALE 1"=100'

RECEIVED
AUG 4 2005

CRITICAL AREA COMMISSION

SHEET 1 OF 1

PRELIMINARY PLAN



Date 5/25/05

RECEIVED
AUG 4 2005
CRITICAL AREA COMMISSION

DATE	REVISION
MAY 2005	
SCALE 100'	
DESIGNED BY	
DRAWN BY	
CORROPER	
FILE #	
CG910	
JOB # 04-14487	

RECEIVED
AUG 4 2005
CRITICAL AREA COMMISSION