

MSA-5-1829-5093

HC

1/28/05

HC 5/26/05

HC 2-27-06

Op. 3/29/06

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/

March 24, 2006

Ms. Helen Spinelli
Queen Anne's County
Department of Planning and Zoning
160 Coursevall Dr.
Centreville, MD 21617

VIA FACSIMILE

RE: File 04-05-01-0001 Project Name: Cate, Austin J. and Evelyn B. *Revision #4*

Dear Ms. Spinelli:

Thank you for your recent submission of site plan documents related to the above referenced project. It is understood that the applicant is proposing to administratively add Parcel 530 to Parcel 100 and create seven (7) new lots with no new roads. All lots will be located within the Critical Areas LDA designation. We understand the applicant will present the subdivision to the Planning Commission for final approval on April 13, 2006. The following are our comments:

1. The issue regarding the use of "pervious" pavers was discussed with Queen Anne's County planning officials. At this time, the Commission does not promote the use of pavers for driveways. This is due to the required site evaluation, installation, and maintenance expertise needed to ensure the pavers will perform properly. Due to the sensitive nature of this site, we would request that the applicant use only gravel for the driveway areas. In order to prevent the driveway areas from being paved in the future, there should be a deed restriction in place when the lots are recorded.

All other Critical Area concerns appear to have been addressed. If you any have questions or comments please call me directly at 410-260-3476. Please provide this office with a copy of the decision from the Planning Commission for our file.

Best regards,

A handwritten signature in black ink, appearing to read "Chris Clark".

Chris Clark
Natural Resources Planner

cc: QC1-05

Robert L. Ehrlich, Jr.
Governor

Michael S. Steele
Lt. Governor



Martin G. Madden
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February 27, 2006

Ms. Helen Spinelli
Dept. of Planning & Zoning
160 Coursevall Drive
Centreville, MD 21617

RE: Major Subdivision, Austin & Evelyn Cate
File #04-05-01-0001(c) – Revision #3

Dear Ms. Spinelli:

Thank you for providing Revision #3 of the above referenced major subdivision. The applicant proposes to administratively combine two existing parcels and resubdivide the property into 7 lots. The property is a total of 4.229 acres in size and is designated LDA. Based on the information provided and the site visit and discussions which took place in early December, we have the following comments:

1. Gravel or pervious pavers are now proposed to be used for the driveway areas. Gravel is compacted over time and becomes impervious. It should not be used for driveways or parking. Pavers have specific requirements and need a commitment by the County regarding installation, maintenance and monitoring. We note that the County has apparently allowed partially pervious pavers (of unknown manufacturer, installation, specifications, soil type, etc.) to count as 100% pervious in a new Critical Area subdivision that is subject to an overall 15% impervious surface limit. We were unaware of this occurrence. This is an issue that should be discussed prior to further project approvals involving the use of pavers.
2. Commission staff sent a letter to the County on the issue of pavers in August 2005. No response has been received from the County. Pavers should not be approved without establishing County policy and procedures for their use and consultation with the Commission.
3. We will contact the County Department of Planning and Zoning in the very near future to set up a meeting to discuss this issue.

Ms. Helen Spinelli
February 27, 2006
Page 2 of 2

4. We recommend that any subdivision approval be held pending a response from the Department of Natural Resources regarding protection of the Blue Heron Colony. While the required habitat protection measures for the Blue Heron colony are written out in the notes on Sheet 3, we strongly recommend that note #20 be revised to indicate that no construction activity will be permitted on Lots 1 through 4 any time between February 15th and July 31st of any year. Future home buyers should be aware of this restriction.

5. The applicant, as the property owner, will be held responsible for any intrusion into the Buffer. Establishing the LOD at the Buffer line is unrealistic and is setting the contractor up for failure to comply with the requirements.

Thank you for the opportunity to comment. If you have any questions or concerns, or if you would like to discuss these matters further, please contact me at (410) 260-3477.

Sincerely,



LeeAnne Chandler
Science Advisor

cc: QC1-05

Robert L. Ehrlich, Jr.
Governor

Michael S. Steele
Lt. Governor



Martin G. Madden
Chairman

Ren Serey
Executive Director

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January 30, 2006

Ms. Helen Spinelli
Dept. of Planning & Zoning
160 Coursevall Drive
Centreville, MD 21617

RE: Major Subdivision, Austin & Evelyn Cate
File #04-05-01-0001(c)

Dear Ms. Spinelli:

Thank you for providing Revision #2 of the above referenced major subdivision. The applicant proposes to administratively combine two existing parcels and resubdivide the property into 7 lots. The property is a total of 4.229 acres in size and is designated LDA. Based on the information provided and the site visit and discussions which took place in early December, we have the following comments:

1. Commission staff does not support the use of pervious pavers on a new subdivision. As indicated in correspondence to Mr. Steve Cohoon dated August 26, 2005 (attached), pervious pavers may be appropriate in grandfathered situations, but should not be utilized in a new subdivision to avoid the impervious surface limits. Growth allocation to change the Critical Area designation to IDA where there are no impervious limits is more appropriate. Pervious pavers require County supervision of soil testing, design, installation and maintenance.
2. Notwithstanding comment #1 above, there is not an assumption of 100% perviousness for any brand of pervious paver. No specifications have been provided for consideration by Commission staff. Notes indicating approval of pervious pavers by the Critical Area Commission must be removed from the plat and any other exhibit.
3. The impervious calculations provide for only the footprint of the dwelling without any accessory structures, sidewalks, patios, etc. This is unrealistic.
4. The tree clearing information remains unclear. While the Sheet 4 indicates that 52% of the site is "developed woodland," it does not provide a percentage of clearing of that developed woodland. What percentage of this developed woodland is proposed

TTY for the Deaf

Annapolis: (410) 974-2609 D.C. Metro: (301) 586-0450


Ms. Helen Spinelli
January 30, 2006
Page 2 of 2

to be cleared? When developed woodland is estimated based on canopy coverage (from aerial photos), counting trunks rather than looking at the aerial extent of clearing may not correspond accurately. When stating that 92 trees represents 20% of the existing trees, is this based on a tree count on the entire property? Also, when we met in the field, the size and type of trees to be cleared was discussed. It is my recollection that some information on larger specimens was going to be provided to ensure disturbance of desirable and large canopy trees be minimized. It seems there are substantial opportunities to further minimize clearing. This issue needs further discussion.

5. While the required habitat protection measures for the Blue Heron colony are written out in the notes on Sheet 3, we strongly recommend that note #20 be revised to indicate that no construction activity will be permitted on Lots 1 through 4 any time between February 15th and July 31st of any year. Future home buyers should be aware of this restriction.
6. Any intrusion into the Buffer is prohibited. The LOD for Lots 1 and 2 shown on the LOD exhibit is extremely close to the Buffer and does not provide any space to maneuver around the house. It does not appear to be realistic.
7. Please provide a breakdown as to which proposed trees are being considered shade trees, understory trees and shrubs. While reforestation within the Buffer is proposed, clustering all the plantings along lot lines does not improve the function of the Buffer in terms of water quality and habitat. The reforestation areas should be used to avoid establishment of manicured lawns at the water's edge.
8. The protection and maintenance notes seem to indicate that after two years, protection of these plantings is no longer required. Disturbance of vegetation within the Buffer without permits constitutes a violation of the Buffer provisions. This should be clear on all project plans.

Thank you for the opportunity to comment. If you have any questions or concerns, or if you would like to discuss these matters further, please contact me at (410) 260-3477.

Sincerely,


LeeAnne Chandler
Science Advisor

cc: QC1-05

Robert L. Ehrlich, Jr.
Governor

Michael S. Steele
Lt. Governor



Martin G. Madden
Chairman

Ren Serey
Executive Director

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August 26, 2005

Mr. Steve Cohoon, Deputy Director
Queen Anne's Planning & Zoning
160 Coursevall Drive
Centreville, Maryland 21617

RE: Use of Pervious Pavers

Dear Mr. Cohoon:

This office was recently contacted by a representative of a developer, inquiring about the use of pervious pavers for a proposed development project in Queen Anne's County. The Critical Area Commission has not established a statewide policy or position on the use of pervious pavers but instead has left the decision to the local jurisdictions. Certain factors involved with pervious pavers, including site-specific evaluation, inspection and maintenance, can require significant staff time and resources. I am writing to provide background and highlight certain challenges, as the County may need to establish a policy some time in the near future.

The project we were contacted about is in a Limited Development Area (LDA). In the LDA and Resource Conservation Area (RCA), the Critical Area Act restricts impervious surfaces to 15% of a development site, or 25% in the case of small, grandfathered, residential lots. These provisions of the Act exist to reduce the impacts on water quality and wildlife habitat that result when stormwater is not infiltrated into the soil and runs off into nearby water bodies.

In the LDA and RCA, the use of pavers or other similar materials can help increase the infiltration of stormwater runoff and the Commission encourages their use for that purpose. However, designating these materials as pervious or partially pervious for regulatory purposes is a different question. When a local government approves paving materials as pervious or partially pervious on grandfathered LDA or RCA lots, it recognizes the site constraints in these settings. Such approvals are consistent with the Legislature's intent to provide flexibility on grandfathered lots where needed. In many cases such flexibility can avoid the need for a variance or significantly reduce the requested variance. In contrast, it is not consistent with the Critical Area Act to consider these materials as pervious on non-grandfathered lots larger than one acre; in areas where they would receive heavy use, such as on commercial, industrial, or

Mr. Steve Cohoon

August 26, 2005

Page 2 of 2

multi-family properties; or in the development of newly created lots. In those situations, property owners or developers should be expected to accommodate their plans to a particular site and within the existing impervious surface limits.

In the Intensely Developed Area (IDA), developers and lot owners may find that pavers or other similar materials are useful as Best Management Practices to increase stormwater infiltration and improve the quality of runoff. As you know, the Critical Area Criteria do not limit impervious surfaces in the IDA. Water quality is addressed instead by the requirements to reduce pollutant loads in runoff 10% below existing levels, and to plant vegetation in permeable areas whenever practicable.

Certain technical factors must be taken into consideration as well. Researchers and some paving manufacturers emphasize that pavers are appropriate on only certain soils with a minimum infiltration rate, with the seasonally high water table no closer than 36" from the surface. Each particular brand of paver has specific specifications for design and installation. Periodic surface maintenance (i.e., vacuuming) is also necessary. If the County decides to assign a percentage of perviousness to paving products and allow their use in some situations, County staff will need to ensure that the products are installed according to manufacturer's specifications and located only in areas where the soils and slopes are acceptable.

I hope this information is useful. At your request, I can provide additional detail and copies of journal articles on the use and effectiveness of various pavers. Please contact me if you would like to discuss these issues further. I can be reached at (410) 260-3477.

Sincerely,



LeeAnne Chandler
Science Advisor

cc: Faith Elliott-Rossing, Director
Vijay Kulkarni, P.E., DPW

Robert L. Ehrlich, Jr.
Governor



Michael S. Steele
Lt. Governor

Martin G. Madden
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May 26, 2005

Mr. Steve Cohoon
Queen Anne's Dept. of Planning & Zoning
160 Coursevall Drive
Centreville, Maryland 21617

RE: Major Subdivision, Austin & Evelyn Cate
File #04-05-01-0001(c) – Preliminary Plat, Revision #1

Dear Mr. Cohoon:

Thank you for providing the revised information on the above referenced major subdivision. The applicants propose to administratively combine two existing parcels and then subdivide the resulting parcel into seven lots. The parcels total 4.229 acres (according to the plat) and are currently designated LDA and Buffer exempt. Commission staff has reviewed the information provided and we have the following comments:


1. Woodland resources on the property should be evaluated on-site rather than depending upon aerial photographs. It may be appropriate to count the trees being removed rather than calculating clearing on an aerial basis.
2. Notwithstanding the above comment, if clearing exceeds 20% of the existing woodlands (up to 30%), replacement must occur at a 1.5 to 1 ratio for the entire area of clearing.
3. Reforestation for the proposed clearing should occur on-site, preferably within the Buffer (a designated Habitat Protection Area). See §14:1-38(D)(5) of the County Code.
4. The response letter from the Department of Natural Resources indicates that there is a Great Blue Heron colony nearby. The habitat protection recommendations include establishing concentric areas of protection around the colony up to a one-quarter mile radius. Please show the location of the protection zones on or near the site. The plat notes should contain appropriate protection measures (e.g., time of year restrictions on construction) if the zones affect the site.

Mr. Steve Cohoon
May 26, 2005
Page 2 of 2

5. The impervious surface calculations show development on some of the lots up to just one square foot below the 15% limit on imperviousness. The limit of disturbance plan shows several models of homes on the various sized lots, but the plan does not provide for sidewalks, back patios or decks, or any accessory structure of any kind. We strongly recommend that some amount of imperviousness be reserved for the future homeowner to use for future needs. It is a disservice to the future owner to create a situation where a variance would be needed to do virtually anything to their property. We suggest that a certain percentage of the imperviousness on each lot be "reserved for future use." If this does not occur, we recommend that the County require deed restrictions on each lot that clearly indicate that no accessory structures or impervious areas of any kind can be constructed.

Thank you for the opportunity to review this subdivision. A site visit would be helpful in our review of this subdivision. If you have any questions or concerns regarding these comments, please contact me at (410) 260-3477.

Sincerely,


LeeAnne Chandler
Natural Resources Planner

cc: QC1-05

Robert L. Ehrlich, Jr.
Governor



Michael S. Steele
Lt. Governor

Martin G. Madden
Chairman

Ren Serey
Executive Director

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January 28, 2005

Mr. Steve Cohoon
Queen Anne's Dept. of Planning & Zoning
160 Coursevall Drive
Centreville, Maryland 21617

RE: Major Subdivision, Austin & Evelyn Cate
File #04-05-01-0001(c)

Dear Mr. Cohoon:

Thank you for providing information on the above referenced major subdivision. The applicants propose to administratively combine two existing parcels and then subdivide the resulting parcel into seven lots. The parcels total 4.229 acres (according to the plat) and are currently designated LDA and Buffer exempt. Commission staff has reviewed the information provided and we have the following comments:

1. The sizes of the parcels according to tax records are 1.44 acres (P. 530) and 2.47 acres (P. 100) for a total of 3.91 acres. This differs from the information on the plat. Please explain.
2. The new lots will be restricted by the full 100-foot Buffer. Section 14:1-53(C) clearly states that the Buffer Exemption provision apply only to lots of record as of December 1, 1985.
3. Information on proposed clearing of the developed woodland on site is needed along with a table showing permitted impervious surface coverage on each lot. The site does meet the definition of developed woodland and is subject to §14:1-38(D)(6) of the County Code. This section clearly requires areas proposed for clearing to be identified on any proposed development plan. A forest mitigation plan, including a Buffer Management plan that demonstrates establishment of the Buffer, is also needed.
4. A well is not shown for Lot 4.

Mr. Steve Cohoon

January 28, 2005

Page 2 of 2

5. Information contained on the Department of Natural Resources mapping tool (www.mdmerlin.net) indicates that there may be a pocket of non-tidal wetlands where Lots 6 and 7 are proposed. (This area does not show up on the NWI wetland maps.) A site visit may be needed to determine if there is a wetland in that location.
6. Please forward a copy of the response letter from the Department of Natural Resources when it is received.

Thank you for the opportunity to review this subdivision. If you have any questions or concerns regarding these comments, please contact me at (410) 260-3477.

Sincerely,



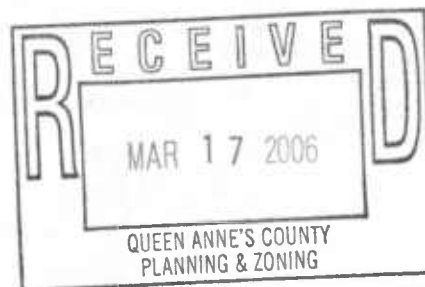
LeeAnne Chandler

Natural Resources Planner

cc: QC1-05

McCRONE

- Engineering
- Environmental Sciences
- Construction Services
- Land Planning & Surveying



March 17, 2006

Mr. J. Steven Cohoon
Deputy Director
Queen Anne's County Planning & Zoning
160 Coursevall Drive
Centreville, MD 21617

**RE: RESUBMITTAL OF MAJOR SUBDIVISION FOR LACROSSE HOMES, CECIL AND ROBERTA DRIVES, CHESTER, QAC FILE #04-05-01-0001
McCRONE, INC. JOB #D1040447**

Dear Mr. Cohoon:

We are resubmitting the above referenced project for 25-day cutoff for placement on the April 13, 2006 Planning Commission agenda for final subdivision approval. This resubmittal contains the following information:

- 5 copies of this cover letter (DPW Eng., Roads, Sanitary, CAC, P&Z)
- 5 copies of the subdivision plat (DPW Eng., Roads, Sanitary, CAC, P&Z)
- 5 copies of the construction plans (DPW Eng., Roads, Sanitary, CAC, P&Z)
- 4 copies of the vacuum main upgrade plans (DPW Eng., Roads, Sanitary, P&Z)
- 3 copies of the cost estimate for roadway repaving (DPW Eng., Sanitary, P&Z)
- 2 copies of the DNR Heritage letter (CAC, P&Z)
- 1 adjoining property owners re-notification package
- \$2,625.00 final subdivision application fee (P&Z)

We have addressed the outstanding issues as follows:

DEPARTMENT OF PUBLIC WORKS:

Sanitary District:

Plan Review Comments:

1.

The invert provided at station 0+00 on Sheet 4 should be 9.68, not 9.12.

Roads:

1. The minimum ditch depth should be 18-inches in accordance with the County standards. This depth is also necessary to accommodate proposed culvert pipes for driveway entrances. Please revise the plans accordingly.

Response: We have provided a 15" deep ditch to minimize the impact to the existing mature trees adjacent to the right-of-way, and called for 9"x15" elliptical driveway culverts (12" equivalent). This solution has been worked out via intervening communications with the roads department.

2. Considering the width of the proposed trench repair associated with the sewer improvements, the length of the trench, and the location of the trench (center of road), the Roads Division will require that the entire road be reclaimed and brought back into section in accordance with our standard detail for a Type 1 Road. The improvements will be required along the entire section of Roberta Drive impacted by the proposed utility work.


Response: The "Upgrade of Vacuum Lin D-5" plans have been updated accordingly. See Sheet 2 for details and Sheet 4 for plan information.

3. Please provide an engineer's cost estimate for all the proposed roadwork.

Response: The cost estimate is included herewith. We request that if during your review you have comments, please call and we will revise the cost estimate before you issue your comments. Our desire is to have the estimate approved and a bond posted prior to the Planning Commission Hearing.

CRITICAL AREA COMMISSION:

1. Gravel or pervious pavers are now proposed to be used for the driveway areas. Gravel is compacted over time and becomes impervious. It should not be used for driveways or parking. Pavers have specific requirements and need a commitment by the County regarding installation, maintenance and monitoring. We note that the County has apparently allowed partially pervious pavers (of unknown manufacturer, installation, specifications, soil type, etc.) to count as 100% pervious in a new Critical Area subdivision that is subject to an overall 15% impervious surface limit. We were unaware of this occurrence. This is an issue that should be discussed prior to further project approvals involving the use of pavers.

Response:  It is our understanding that the County has allowed gravel in residential uses to be counted as pervious. We have provided flexibility in the language to allow the use of gravel or pavers as agreed to by the County.

2. Commission staff sent a letter to the County on the issue of pavers in August 2005. No response has been received from the County. Pavers should not be approved without establishing County policy and procedures for their use and consultation with the Commission.

Response: So noted.

3. We will contact the County Department of Planning and Zoning in the very near future to set up a meeting to discuss this issue.

Response: So noted.

4. We recommend that any subdivision approval be held pending a response from the Department of Natural Resources regarding protection of the Blue Heron Colony. While the required habitat protection measures for the Blue Heron colony are written out in the notes on Sheet 3, we strongly recommend that note #20 be revised to indicate that no construction activity will be permitted on Lots 1 through 4 any time between February 15th and July 31st of any year. Future home buyers should be aware of this restriction.

Response: We contacted Glenn Therres with DNR Wildlife Heritage directly to discuss this issue and received a written response from him. We have adjusted the great blue heron protection plan on the plat accordingly.

5. The applicant, as the property owner, will be held responsible for any intrusion into the Buffer. Establishing the LOD at the Buffer line is unrealistic and is setting the contractor up for failure to comply with the requirements.

Response: The LOD has been moved five feet off the 100-foot Buffer.

DEPARTMENT OF PLANNING AND ZONING:

1. Please adjust the LOD line to be at least 5 feet from the 100 foot buffer on Lots 1 and 2. It is very important that no disturbance occur in the buffer therefore placing the LOD on the buffer line is not appropriate.

Response: The LOD has been moved five feet off the 100-foot Buffer.

2. As requested previously, please add the dates of the restricted construction times to Note 20 on Sheet 3. Until there is direct guidance to the contrary from DNR Wildlife and Heritage Division coordinators in accordance with their pervious letter no construction may occur between Feb. 15 and July 31 in ¼ mile (Zone 3). If there is further guidance from DNR an adjustment may be made between Primary and Final subdivision plans.

Response: We contacted Glenn Therres with DNR Wildlife Heritage directly to discuss this issue and received a written response from him. We have adjusted the great blue heron protection plan on the plat accordingly. We have added a sentence to plat note #20 on sheet 3 directing the reader to the great blue heron protection plan.

3. The note on Sheet 3 should state that gravel will be used and not indicate pavers since there is a very real concern that the limits of impervious surface will be reached on these lots. Please change the note.

Response: It appears that the Critical Area Commission is going to force the creation of a County paver policy. As such, the applicant would like the option to use pavers in accordance with an upcoming policy.

4. The mandatory parkland dedication issue needs to be addressed with Planning Staff prior to Preliminary review by the Planning Commission. Please contact Planning staff as soon as possible.

Response: The applicant and the applicant's attorney are working in the mandatory parkland dedication requirement.

5. Previous comment #37 has not been addressed on Sheet 5, please do so. Still outstanding Feb. 24, 2006.

Response: We apologize for our inability to address this comment as envisioned. Sometimes vague comments are difficult for us to interpret. If this still is not as you wish, please tell us exactly what you want.

We believe all outstanding comments have been adequately addressed with this resubmittal and request the project be placed on the April 13, 2006 Planning Commission agenda for final subdivision approval. If you have questions or additional comments, please contact me at 410-758-2237.

Sincerely,

McCRONE, INC.

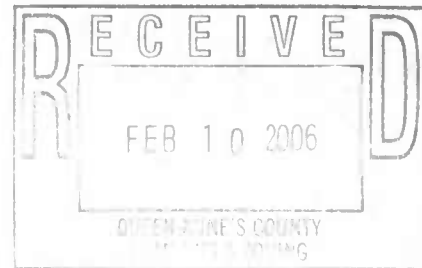


Christina Pompa Clark, AICP
Assistant Branch Manager

Enclosures

MCCRONE

- Engineering
- Environmental Sciences
- Construction Services
- Land Planning & Surveying



February 10, 2006

Mr. J. Steven Cohoon
Deputy Director
Queen Anne's County Planning & Zoning
160 Coursevall Drive
Centreville, MD 21617

**RE: RESUBMITTAL OF MAJOR SUBDIVISION ON THE LANDS OF LACROSSE HOMES, CECIL DRIVE, CHESTER – SUBDIVISION NO. 04-05-01-0001-C
McCRONE, INC. JOB #D1040447**

Dear Mr. Cohoon:

We are resubmitting the above referenced project for 25-day cutoff for placement on the March 9, 2006 Planning Commission agenda for preliminary subdivision approval. This resubmittal contains the following information:

- 8 copies of this cover letter (Sanitary, DPW Eng., Roads, P&R, CAC, Heritage, Drummond, P&Z)
- 6 copies of subdivision plats (Sanitary, DPW Eng., Roads, CAC, Drummond, P&Z)
- 4 copies of the site and grading plans (DPW Eng., Roads, CAC, P&Z)
- 3 copies of the sewer construction plans (Sanitary, DPW Eng., P&Z)
- 3 copies of the sewer cost estimate (Sanitary, DPW Eng., P&Z)
- 2 copies of the Perpetual Forest Protective Agreement (Drummond, P&Z)
- 2 copies of a list of trees to be preserved (CAC, P&Z)
- 2 copies of a list of trees to be removed (CAC, P&Z)
- 2 copies of a letter to DNR (CAC, P&Z)

RECEIVED
FEB 15 2006
CRITICAL AREA COMMISSION

We have addressed outstanding issues as follows:

DEPARTMENT OF PUBLIC WORKS:

Sanitary District:

Plan Review Comments:

1. Sheet 4: As designed, there is only 4 inches of clearance between D-5 and D-1, and that assumes our as-builts are accurate. Add a note that if the clearance is less

than 1 foot, flowable fill is required 5 feet each side of crossing. Also investigate changing slope from 0.31% to 0.20% to increase clearance to the maximum extent possible.

Response: The profile has been modified to provide a 0.2% slope for the final run prior to the connection with line D-10. In conjunction with that, notes have been added to the profile to address the possible need for encasement of the proposed pipe in flowable fill and the possible need for lifts between the existing pits and the upgraded vacuum main. The new elevation of the main is slightly above the previous main.

General Comments:

1. Property holds one sewer allocation and has been granted the required 6 additional.

Response: An allocation fee of \$27,900.00 was paid by the applicant on January 25, 2006.

2. Need PWA.

Response: The executed PWA has been submitted to the Sanitary District.

3. Need estimate, surety and fee (no estimate provided).

Response: A cost estimate is included with this submittal. Upon approval, the surety and fee will be submitted.

Stormwater Management:

General Comments:

1. SCD must approve the plans prior to DPW signature.

Response: So noted.

2. Critical Area approval for 10% Rule is not required, since it has LDA designation.

Response: So noted.

3. Under the notes on upper right corner, change "quality" to "quantity". The waiver being granted is for quantity and not quality.

Response: We have reorganized the information slightly by removing the stormwater management plan on sheet 6 of the plats, and creating a new set of three drawings for grading, stormwater, and sediment control. This set will be

submitted with the grading permit application at a later date. We have revised the note you referred to, which is now located on sheet 1 of 3.

Roads:

1. Previous comments: The engineer has indicated that water currently sheet flows from the roadside across the subject site to Cox Creek. However, we are concerned that the proposed lot grading and construction will impede this natural drainage pattern. Therefore,, provide plans showing proposed grading and roadside ditch as necessary to collect existing roadside drainage and proposed drainage from on the site grading. Provide a perpetual right to discharge drainage from the County right-of-way into a private drainage easement to discharge to Cox Creek.

Response: We have performed a field visit and re-examined the survey information along Roberta Drive and Cecil Drive. We have revised the roadside ditch adjacent to lots 4 through 7 to address drainage from Roberta Drive. The intersection of the two roads is actually pitched to the north, so this area does not drain through our property. We do not think it is necessary to alter the existing drainage patterns since there is a natural high point roughly on the property line. Existing spot grades have been added to sheet 1 of 3 to illustrate this.

2. Additional comments will be provided after the proposed site-grading plan is submitted for review.

Response: So noted.

DEPARTMENT OF PARKS AND RECREATION:

1. Please contact Nancy Scozzari to discuss parkland fee in lieu at the Department of Parks and Recreation – 410-758-0835.

Response: The applicant is working on this issue with the appropriate County Departments.

CRITICAL AREA COMMISSION:

1. Commission staff does not support the use of pervious pavers on a new subdivision. As indicated in correspondence to Mr. Steve Cohoon dated August 26, 2005, pervious pavers may be appropriate in grandfathered situation, but should not be utilized in a new subdivision to avoid the impervious surface limits. Growth allocation to change the Critical Area designation to IDA where there are no impervious limits is more appropriate. Pervious pavers require County supervision of soil testing, design, installation and maintenance.

Response: We have called for pervious pavers or gravel to be used for the driveways. The County allows gravel in single family residential uses as a 100% pervious surface. The applicant would prefer to use pavers because they are more aesthetically pleasing, but will use gravel if necessary. We point out that the driveways in the Critical Area portion of the Mallard Run subdivision were constructed with pavers and not counted as impervious surface.

2. Notwithstanding comment #1 above, there is not an assumption of 100% perviousness for any brand of pervious paver. No specifications have been provided for consideration by Commission staff. Notes indicating approval of pervious pavers by the Critical Area Commission must be removed from the plat and any other exhibit.

Response: The note has been revised. We have called for pervious pavers or gravel to be used for the driveways. The County allows gravel in single family residential uses as a 100% pervious surface. The applicant would prefer to use pavers because they are more aesthetically pleasing, but will use gravel if necessary. We point out that the driveways in the Critical Area portion of the Mallard Run subdivision were constructed with pavers and not counted as impervious surface. The determination of driveway material can be made at the time the building permit application is filed.

3. The impervious calculations provide for only the footprint of the dwelling without any accessory structures, sidewalks, patios, etc. This is unrealistic.

Response: Generally we do not make assumptions about the amount of impervious surface to be created on a lot at the time of subdivision approval. We note the area of allowable impervious surface on the plat and then it is up to the builder or home owner to stay under the area permitted. We know some of these future homeowners will likely build a shed or some other impervious improvement, however, we can neither make an assumption that a shed will be built, nor can we assume its size. It will be up to the homeowner to stay within the amount of impervious surface allowed. The impervious surface limitations are clearly disclosed on the plat for future homeowners to see prior to purchase. We believe this is adequate.

4. The tree clearing information remains unclear. While the Sheet 4 indicates that 52% of the site is "developed woodland," it does not provide a percentage of clearing of that developed woodland. What percentage of this developed woodland is proposed to be cleared? When developed woodland is estimated based on canopy coverage (from aerial photos), counting trunks rather than looking at the aerial extent of clearing may not correspond accurately. When stating that 92 trees represents 20% of the existing trees, is this based on a tree count on the entire property? Also, when we met in the field, the size and type of trees to be cleared was discussed. It is my recollection that some information on

larger specimens was going to be provided to ensure disturbance of desirable and large canopy trees be minimized. It seems there are substantial opportunities for further minimize clearing. This issue needs further discussion.

Response: We have removed the developed woodland area since we have counted each tree on site individually. We have corrected the total number of trees on site to be 461. We staked the limits of disturbance in the field and counted the trees within the LOD to be removed. Of the 461 trees, 85 trees or 18% of the trees on site are proposed to be cleared for the development. A list of the trees to be removed on site with their dimensions is provided. We believe tree clearing has been minimized to the greatest extent possible.

5. While the required habitat protection measures for the Blue Heron colony are written out in the notes on Sheet 3, we strongly recommend that note #20 be revised to indicate that no construction activity will be permitted on Lots 1 through 4 any time between February 15th and July 31st of any year. Future home buyers should be aware of this restriction.

Response: We have revised the great blue heron note to add the dates of the breeding season. We have sent copies of the plat and protection notes to Lori Byrne and Glenn Therres at DNR to determine if the language as proposed is acceptable. We are unwilling to state on the plat that no construction whatsoever can take place on lots 1-4 during the great blue heron nesting season. We believe some construction activities should be allowed during the breeding season. For instance if the house is under roof and siding is up, work should be able to proceed in the house and some outside work should be able to proceed between the house and street (away from the heron colony), such as installation of the driveways or landscaping.

6. Any intrusion into the Buffer is prohibited. The LOD for Lots 1 and 2 shown on the LOD exhibit is extremely close to the Buffer and does not provide any space to maneuver around the house. It does not appear to be realistic.

Response: The contractor will have to stay out of the Buffer.

7. Please provide a breakdown as to which proposed trees are being considered shade trees, understory trees and shrubs. While reforestation within the Buffer is proposed, clustering all the plantings along lit lines does not improve the function of the Buffer in terms of water quality and habitat. The reforestation areas should be used to avoid establishment of manicured lawns at the water's edge.

Response: The categories (canopy, understory, or shrub) have been provided on the planting schedule. The reforestation areas have been modified to avoid manicured lawns to the water's edge.

8. The protection and maintenance notes seem to indicate that after two years, protection of these plantings is no longer required. Disturbance of vegetation within the Buffer without permits constitutes a violation of the Buffer provisions. This should be clear on all project plans.

Response: The two-year protection and maintenance language has been revised as recommended.

HERITAGE COORDINATOR:

1. Parcel 530 was built in 1911. Phase II photo's received need overall measurements of structure and basic floor plan.

Response: The measurements and basic floor plan will be submitted as soon as this information is ready.

CHRISTOPHER DRUMMOND, ESQ.

We are resubmitting the plat and Perpetual Forest Protective Agreement for your review.

DEPARTMENT OF PLANNING AND ZONING:

1. Please adjust the "Statement of Purpose and Intent" by adding the NC zoning designation.

Response: The zoning designation has been added to the statement of purpose and intent.

2. On Sheet 2 please remove the forward slash at the end of note 12.

Response: Note 12 on Sheet 2 has been revised.

3. There does not appear to be a letter in the file to the Planning Director addressing 14:1-53 D (1) as stated in note 12 on sheet 2 and note 6 on sheet 3, please provide one as soon as possible so staff may provide findings.

Response: No impact in the 100 foot buffer is proposed therefore a letter justifying impact is not necessary.

4. Please be advised that Sheet 4 must be adjusted to reflect the LOD lines as shown on the separate exhibit provided.

Response: LOD has been added to Sheet 4, although we still believe this is inappropriate information for a subdivision plat.

5. The tree calculations shown on Sheet 4 appear to be incorrect. Please provide a delineated table that notes exactly how many trees are to be removed in the LOD area and how many are on the site and if this is greater than 20%.

Response: The calculations have been corrected. There are a total of 461 trees on site.

6. In the impervious surface calculations on Sheet 3 please indicate that percentage permitted, 15%, when noting what is permitted.

Response: The percentage (15%) has been provided.

7. Please be advised that the note on Sheet 3 concerning pervious pavers has not been approved by Critical Area Commission staff therefore it must be removed and the area in driveway added to the impervious surface calculation if pavers are to be used as opposed to gravel.

Response: We have revised the note to call for pervious pavers or gravel.

8. On Sheet three the note concerning the Blue Heron Colony, #20, needs to add that the zone 1 and 2 radii are in Cox's Creek.

Response: The blue heron note has been revised as requested.

9. On Sheet 3 please add the lot size below the lot # on the plat for easier reference.

Response: The lot size has been provided on each lot.

10. Has there been any arrangements made with the Department of Parks and Recreation for the mandatory parkland dedication?

Response: The applicant is working on this issue with the appropriate County Departments.

11. The right-of-way with the appropriate reference needs to be noted on Sheet 3 the major Subdivision plat.

Response: The right-of-ways have been noted as public. If something else is desired, please be more specific with the comment.

12. The side BRL for Lot 7 has not been corrected based on a previous comment #26 please revise.

Response: One of the side BRLs on lot 7 has been revised to 8 feet.

13. During site visit on Nov. 28, 2005 staff requested that the exceptional trees that exist on the site be noted on the plat and this does not appear to have been accomplished. Please do so on Sheet 4.

Response: Two lists of trees are provided for your review – a list of trees to be preserved on site and a list of trees to be removed. Of the trees to be removed, there are only two trees that are exceptionally large – a 24" oak and a 30" sweetgum.

14. On Sheet 5, please remove the second period at the end of Post Planting note on "posting".

Response: Second period has been eliminated, or was it the first?


15. Previous comment #37 has note been addressed on Sheet 5, please do so.

Response: Chapter references are provided liberally throughout Sheets 4 and 5.

We believe all outstanding comments have been adequately addressed with this resubmittal and request the project be placed on the March 9, 2006 Planning Commission agenda for preliminary subdivision approval. If you have questions or additional comments, please contact me at 410-758-2237.

Sincerely,

McCRONE, INC.



Christina Pompa Clark, AICP
Assistant Branch Manager

PPG

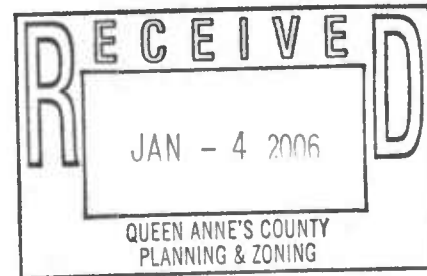
Enclosures

McCRONE

- Engineering
- Environmental Sciences
- Construction Services
- Land Planning & Surveying

January 4, 2006

Mr. J. Steven Cohoon
Deputy Director
Queen Anne's County Planning & Zoning
160 Coursevall Drive
Centreville, MD 21617



**RE: MAJOR SUBDIVISION FOR LACROSSE HOMES, INC., CECIL DRIVE,
CHESTER – MAJOR SUBDIVISION #04-05-01-0001(C)
McCRONE, INC. JOB #D1040447**

Dear Mr. Cohoon:

We are resubmitting the above-referenced subdivision for review and placement on the February 1, 2006 STAC agenda. This resubmittal contains the following information:

- 9 copies of this cover letter (DEH, Sanitary, DPW Eng., DPW Roads, P&R, CAC, Heritage Coor., P&Z, Drummond)
- 9 copies of the subdivision plat (DEH, Sanitary, DPW Eng., DPW Roads, P&R, CAC, Heritage Coor., P&Z, Drummond)
- 2 copies of the sewer plans (Sanitary, P&Z)
- 2 copies of the sewer improvements cost estimate (Sanitary, P&Z)
- 3 copies of the groundwater appropriation permit (DEH, DPW Eng., P&Z)
- 1 copy of the jurisdictional determination (P&Z)
- 1 copy of the new deed S.M. 1357/490 (P&Z)
- 2 copies of the limit of disturbance exhibit (P&Z, CAC)
- 2 copies of the draft longterm forest protective covenant (P&Z, Drummond)
- 2 photo documentation CDs (Heritage Coor., P&Z)

In response to comments contained in STAC Report dated June 1, 2005 on the above referenced project, we offer the following:

DEPARTMENT OF ENVIRONMENTAL HEALTH:

1. The proposed subdivision must be served by public sewer.

Response: The lots are being connected to an upgraded vacuum sewer main in Roberta Drive.

RECEIVED

JAN 05 2006

CRITICAL AREA COMMISSION

Response: This site has a Critical Area designation of LDA. The 10% rule only applies to the IDA designation.

ROADS:

Plan Review Comments:

1. The engineer has indicated that water currently sheet flows from the roadside across the subject site to Cox Creek. However, we are concerned that the proposed lot grading and construction will impede this natural drainage pattern. Therefore, provide plans showing proposed grading and roadside ditch as necessary to collect existing roadside drainage and proposed drainage from on the site grading. Provide a perpetual right to discharge drainage from the County right-of-way into a Private drainage easement to discharge to Cox Creek.

Response: To be addressed.

DEPARTMENT OF PARKS AND RECREATION:

1. Applicant has expressed desire to pay a fee in lieu of providing recreational amenities on site. Please contact the Department of Parks & Recreation to discuss.

Response: The applicant will work directly with the Department of Parks and Recreation on this issue.

2. If there is absence of comment by Heritage Coordinator regarding submittal of photographs and letter regarding existing structures to be removed, this department will review and respond as to whether additional information may be required. *At this time the position of Heritage Coordinator is vacant. All review of historic structures will be via Dept. of Parks & Recreation until further notice.*

Response: A second tier historic preservation documentation was completed in May 2005 to document the interior and exterior of the 1911 house. This photo documentation was submitted to the Heritage Coordinator, but no response has been received. We are resubmitting a CD for the Heritage Coordinator's review. It is the intent of the applicant to remove all structures on site.

CRITICAL AREA COMMISSION:

1. Woodland resources on the property should be evaluated on-site rather than depending upon aerial photographs. It may be appropriate to count the trees being removed rather than calculating clearing on an aerial basis.

Response: All trees on site have been counted and calculations are based on the actual tree count.

2. Notwithstanding the above comment, if clearing exceeds 20% of the existing woodlands (up to 30%), replacement must occur at a 1.5 to 1 ratio for the entire area of clearing.

Response: Proposed tree clearing no longer exceeds 20%. A total of 85 trees are proposed for removal when 461 exist on site.

3. Reforestation for the proposed clearing should occur on-site, preferably within the Buffer (a designated Habitat Protection Area). See §14:1-38(D)(5) of the County Code.

Response: Reforestation is proposed on site within the Buffer.

4. The response letter from the Department of Natural Resources indicates that there is a Great Blue Heron colony nearby. The habitat protection recommendations include establishing concentric areas of protection around the colony up to a one-quarter mile radius. Please show the location of the protection zones on or near the site. The plat notes should contain appropriate protection measures (e.g., time of year restrictions on construction) if the zones affect the site.

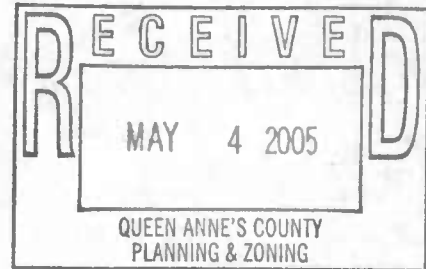
Response: The great blue heron colony protection rings have been shown on the plat and the protection plan language provided by DNR Heritage has been added to the plat.

5. The impervious surface calculations show development on some of the lots up to just one square foot below the 15% limit on imperviousness. The limit of disturbance plan shows several models of homes on the various sized lots, but the plan does not provide for sidewalks, back patios or decks, or any accessory structure of any kind. We strongly recommend that some amount of imperviousness be reserved for the future homeowner to use for future needs. It is a disservice to the future owner to create a situation where a variance would be needed to do virtually anything to their property. We suggest that a certain percentage of the imperviousness on each lot be "reserved for future use." If this does not occur, we recommend that the County require deed restrictions on each lot that clearly indicate that no accessory structures or impervious areas of any kind can be constructed.

Response: Driveways are proposed to be pervious pavers instead of an impervious surface such as concrete, gravel, or asphalt. We have assumed 100% permeability.

McCRONE

- Engineering
- Environmental Sciences
- Construction Services
- Land Planning & Surveying



May 4, 2005

Mr. J. Steven Cohoon
Development Review Chief
Queen Anne's County Planning and Zoning
160 Coursevall Drive
Centreville, MD 21617

**RE: MAJOR SUBDIVISION, LACROSSE HOMES #04-05-01-0001(C)
McCRONE, INC. JOB #D1040447**

We are resubmitting the above-referenced subdivision for placement on the June 1 STAC agenda. This resubmittal contains:

- 7 copies of this cover letter (DEH, Sanitary, DPW Eng., Roads, CAC, P&R, P&Z)
- 7 copies of the plats (DEH, Sanitary, DPW Eng., Roads, CAC, P&R, P&Z)
- 5 copies of the Limit of Disturbance Exhibit (DPW Eng., Roads, CAC, P&R, P&Z)
- 3 sets of sewer construction drawings (Sanitary, P&Z)
- 2 copies of the Critical Area Environmental Assessment (CAC, P&Z)
- 2 copies of the DNR Heritage letter (CAC, P&Z)

In response to comments contained in STAC report dated January 27, 2005 for the above referenced project, we offer the following:

DEPARTMENT OF ENVIRONMENTAL HEALTH:

Approved with the following conditions:

1. The proposed subdivision must be served by public sewer.

Response: This project is proposed to be served by public sewer.

2. The proposed subdivision must have a Groundwater Appropriation Permit before the record plat is signed by the health department.

Response: We are in the process of submitting a Groundwater Appropriation Permit application. A copy of the permit will be forwarded upon receipt.

RECEIVED

MAY 11 2005

CRITICAL AREA COMMISSION

Response: Our client proposes to address this issue via fee-in-lieu.

2. Please address conservation measures for preservation of existing trees on site as required.

Response: A Limit of Disturbance Exhibit is provided to show the limits of tree clearing.

3. Please address afforestation/reforestation/mitigation. Will any of these measures be handled on-site? If off-site mitigation is proposed, please identify the receiving parcel.

Response: All mitigation is proposed on site. See sheet 4 and 5 of the plat.

4. Please provide information as to the date of the existing structures. If structures are 50 yrs. or older and proposed to be demolished, applicant must contact Jennifer Ruffner, Heritage Coordinator at 410-604-2100 for adherence to documentation procedure.

Response: A letter and photographs were submitted to Jennifer Ruffner on April 19, 2005.

5. If existing buildings are to be removed, please place a note on plat stating so.

Response: See note #11 on sheet 2.

6. Please provide well and septic reserve area information, so that location of building pad within setbacks can be assured.

Response: All wells are shown. Sewage disposal is to be handled by public sewer.

CRITICAL AREA COMMISSION:

1. The sizes of the parcels according to tax records are 1.44 acres (P. 530) and 2.47 acres (P. 100) for a total of 3.91 acres. This differs from the information on the plat. Please explain.

Response: Acreages are the result of a field-run survey in October 2004.

2. The new lots will be restricted by the full 100-foot Buffer. Section 14:1-53(C) clearly states that the Buffer Exemption provision apply only to lots of record as of December 1, 1985.

Response: So noted.

3. Information on proposed clearing of the developed woodland on site is needed along with a table showing permitted impervious surface coverage on each lot. The site does meet the definition of developed woodland and is subject to §14:1-38(D)(6) of the County Code. This section clearly requires areas proposed for clearing to be identified on any proposed development plan. A forest mitigation plan, including a Buffer Management plan that demonstrates establishment of the Buffer, is also needed.

Response: A Limit of Disturbance Exhibit is provided to show the limits of tree clearing. All mitigation is proposed on site. We see no place in Chapter 14 where a Buffer Management Plan is required for this type of development.] *

4. A well is not shown for Lot 4.

Response: A well is shown for Lot 4.

5. Information contained on the Department of Natural Resources mapping tool (www.mdmerlin.net) indicates that there may be a pocket of non-tidal wetlands where Lots 6 and 7 are proposed. (This area does not show up on the NWI wetland maps.) A site visit may be needed to determine if there is a wetland in that location.

Response: A wetland delineation was completed for the property and no wetlands were found between proposed lots 6 and 7.

6. Please forward a copy of the response letter from the Department of Natural Resources when it is received.

Response: The DNR Heritage letter is included herewith.

DEPARTMENT OF PLANNING AND ZONING:

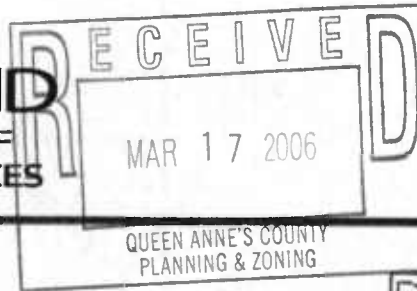
1. The deed references a parcel of 5.008 acres in size saving and excepting a 0.6 acre parcel that was conveyed to J. Bredekamp in 1957. The deed also mentions a 1.466 acre parcel that appears to have been in the possession of J. Bredekamp at one time. All of these acreages do not coincide with the existing parcel areas of 2.772 acres and 1.457 acres. Please provide an explanation of the acreages contained within the deed and a history of Parcels 100 and 530.

Response: Acreages are the result of a field-run survey in October 2004.

2. The deed references a "perpetual right of ingress and egress at all times for all purposes upon, over and across a strip of land or roadway 40 feet wide" (LIBER 12/FOLIO515). Please address as necessary on the plat (Sheets 2 and 3) and provide details concerning this easement area within the cover letter.

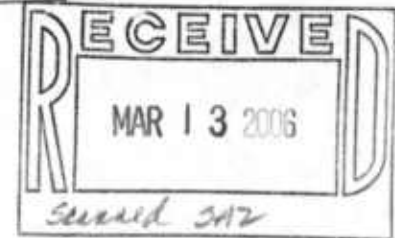


MARYLAND
DEPARTMENT OF
NATURAL RESOURCES



Robert L. Ehrlich, Jr., Governor
Michael S. Steele, Lt. Governor
C. Ronald Franks, Secretary

March 7, 2006



Christina Pompa Clark
McCrone, Inc.
207 N. Liberty Street, Suite 100
Centreville, MD 21617

RE: Great Blue Heron Note for LaCrosse, Inc. Subdivision
Along Cox Creek

Dear Ms. Clark:

This is in response to your letter dated February 9, 2006 regarding proposed plat notes for the Lacrosse Homes, Inc. subdivision along Cox Creek, Chester, Queen Anne's County - Job #D1040447. The proposed subdivision is across the river from an active great blue heron colony. The proposed subdivision falls within protection zone 3, which is between 660 ft and 1/4 mile from the herons. The closet house location will be over 1000 ft from the heron rookery. The proposed subdivision is adjacent to existing houses along the shoreline of Cox Creek.

It is my understanding that plat notes describing the great blue heron protection zones and restrictions are required. The standard protection guidelines for great blue herons call for no construction activities in zone 3 between February 15 through July 31. You are requesting a modification of that standard protection as follows: Construction activity inside the house shell could continue between February 15 through July 31, provided all exterior construction of the house was completed prior to February 15. In addition, landscaping and driveway installation on the side of the houses farthest from the heron rookery should be allowed between February 15 and July 15, since the house will serve as a visual buffer.

Given the considerable expanse of open water between the heron rookery and the proposed subdivision and the existing houses along the same shoreline as the proposed subdivision, the modifications you have proposed for this subdivision will not adversely impact the nesting great blue herons.

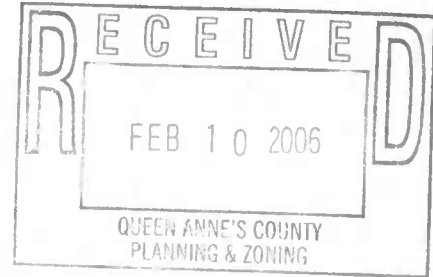
Sincerely,

Glenn D. Therres, Associate Director
Wildlife and Heritage Service

cc: H. Spinelli, QA County
L. Chandler, CAC

McCRONE

- Engineering
- Environmental Sciences
- Construction Services
- Land Planning & Surveying



February 9, 2006

Ms. Lori Byrne and
Mr. Glenn Therres
MD Department of Natural Resources
Wildlife & Heritage Division
580 Taylor Avenue
Annapolis, MD 21401-2397

**RE: PROPOSED PLAT NOTES FOR SUBDIVISION ALONG COX CREEK,
CHESTER, QUEEN ANNE'S COUNTY – McCRONE, INC. JOB #D1040447**

Dear Ms. Byrne and Mr. Therres:

The attached plats are submitted for your review of the plat notes shown on the second page (Sheet 3), relative to the Great Blue Heron Colony Protection Zone. The property, owned by Lacrosse Homes, Inc., consists of two parcels (100 and 530) fronting on Cox Creek, and is located at the intersection of Cecil and Roberta Drives in Chester. The owner proposes to administratively combine the two existing parcels, and create seven single-family residential lots. Aside from public sewer, which will be brought in from the street, no additional infrastructure is proposed.

The Critical Areas Commission has requested a plat note disallowing any construction activity in the protection zone between February 15 and July 31 of any year. We propose slightly less restrictive language that we believe is consistent with the DNR Heritage letter we received for the project. We believe that certain activities should be allowed during the breeding season. For instance, if the house is under roof, and siding is installed, construction activity inside the house shell should be allowed to continue. Furthermore, landscaping and driveway installation should be allowed to take place between the house and the street since the house shell would provide an additional barrier from the construction activities for the Great Blue Herons, whose nesting site is located on the opposite side of Cox Creek from this proposed development.

Ms. Lori Byrne and Mr. Glenn Therres

D1040447

February 9, 2006

Page 2

The subject site is within the ¼ mile protection zone, however, we note that development is proposed only within the last 200 feet, or 15%, of the Zone 3 Protection zone. In addition, there is some tree cover in the 100-foot Buffer that is not proposed to be removed, and will provide screening for the Herons.

Please let us know if the plat language we have provided is adequate. Should you have questions or need additional information, please call me at (410) 758-2237.

Sincerely,

McCRONE, INC.

A handwritten signature in black ink, appearing to read "Christina Pompa Clark". The signature is fluid and cursive, with the first name "Christina" being the most prominent.

Christina Pompa Clark, AICP
Assistant Branch Manager

Enclosures

RECEIVED 2 APRIL 05



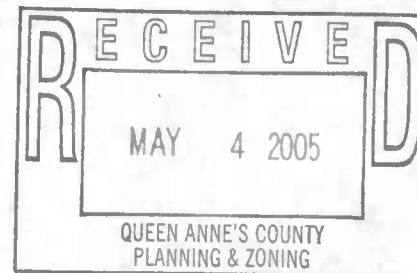
Robert L. Ehrlich, Jr., Governor

Michael S. Steele, Lt. Governor

C. Ronald Franks, Secretary

March 28, 2005

Mr. Jan Reese
Environmental Regulations Consultant, Inc.
P.O. Box 298
St. Michaels, MD 21663



RE: Environmental Review for Property of Austin & Evelyn Cate in Chester, Tax Map 57, Block 14, Parcels 100 & 530, Kent Island, Queen Anne's County, Maryland.

Dear Mr. Reese:

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. 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.

We would like to bring to your attention that there is a Great Blue Heron colony located across Cox Creek within ¼ mile of the property. The approximate location of the colony site is indicated on the attached map. Heronries are a rare resource that should be protected. Conservation of Great Blue Heron colonies that are located in the Chesapeake Bay Critical Area is required by state law. Significant mortality of chicks or eggs resulting from disturbance of the colony during the breeding season is a violation of the U.S. Migratory Bird Treaty Act. Disturbance includes actions such as cutting nest trees, cutting nearby trees or nearby construction that causes abandonment of chicks by the adults.

Great Blue Herons establish nesting colonies in forested areas that are relatively predator and disturbance free. Colony sites are often adjacent to water, in forested non-tidal wetlands and/or floodplains. Colony sites are rare, all of Maryland's Great Blue Heron population nests at fewer than 50 locations. As Maryland continues to grow and develop secure nest sites for Great Blue Herons will become scarcer. Whenever possible Great Blue Heron colony sites should be conserved as part of responsible land stewardship.

Interested property owners are encouraged to provide protection and conservation by implementing the following guidelines:

Tawes State Office Building - 580 Taylor Avenue • Annapolis, Maryland 21401

410.260.8DNR or toll free in Maryland 877.620.8DNR • www.dnr.maryland.gov • TTY users call via Maryland Relay

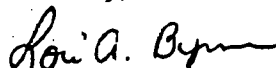
Page 2
March 28, 2005

1. Establish a protection area of $\frac{1}{4}$ mile radius from the colony's outer boundary. Within this area establish three zones of protection: Zone 1 extends from the outer boundary of the colony to a radius of 330 feet, Zone 2 extends from 330 feet to 660 feet in radius, and Zone 3 extends from 660 feet to $\frac{1}{4}$ mile (1320 feet).
2. During the breeding season, 15 February through 31 July, all human entry into Zone 1 should be restricted to only that essential for protection of the Great Blue Heron colony. Human disturbance of colony sites that results in significant mortality of eggs and/or chicks is considered a prohibited taking under various state and federal regulations.
3. No land use changes, including development or timber harvesting, should occur in Zone 1.
4. Construction activities, including clearing, grading, building, etc., should not occur within Zones 1 and 2.
5. Selective timber harvesting may occur in Zone 2, but clearcutting should be avoided.
6. No construction or timber harvesting activities should occur within the $\frac{1}{4}$ mile protection area during the Great Blue Heron breeding season.

The Department of Natural Resources' Wildlife and Heritage Service provides assistance to those interested in protecting this resource. The above guidelines are usually suitable for protection of most Great Blue Heron colonies. Specific protection measures depend upon site conditions, planned activities, colony site type and history, and other factors. For more specific technical advice regarding your project and Great Blue Heron protection, please contact the WHS.

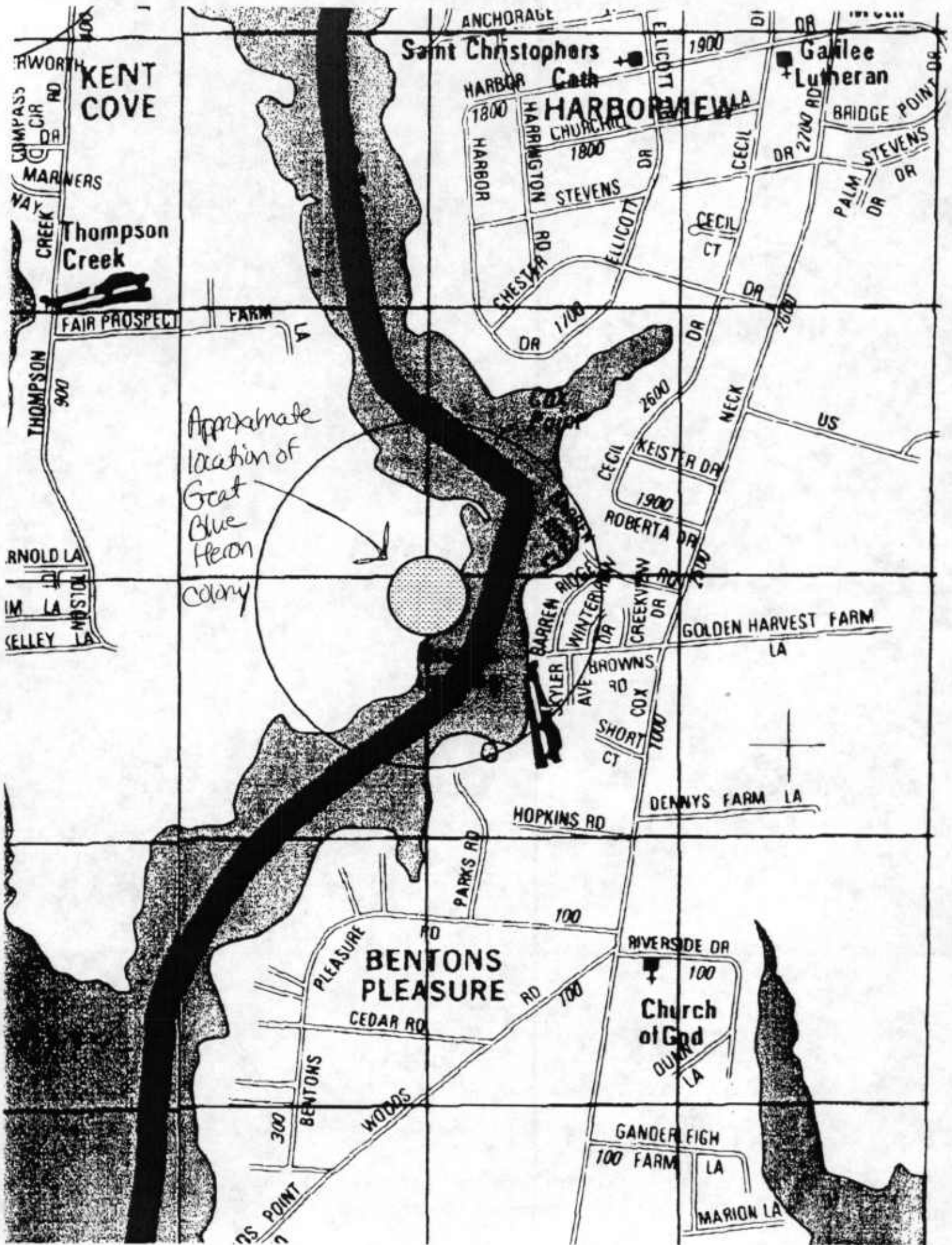
Thank you for allowing us the opportunity to review this project. If you should have any further questions regarding this information, please contact me at (410) 260-8573.

Sincerely,



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

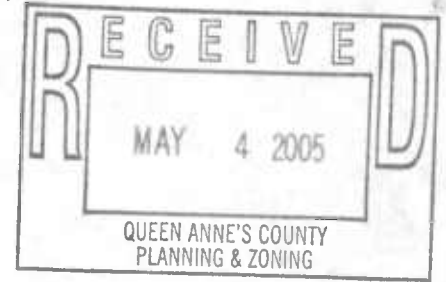
ER #2005.0022.qa
Cc: S. A. Smith, DNR
R. Esslinger, CAC
Attachment



ENVIRONMENTAL REGULATIONS CONSULTANT, INC.

Jan Reese, P.O. Box 298
St. Michaels, Maryland 21663
410-745-2875

3 January 2005
Revised 29 April 2005



**CHESAPEAKE BAY CRITICAL AREA ENVIRONMENTAL ASSESSMENT
PROPERTY OF LACROSSE HOMES, INC.**

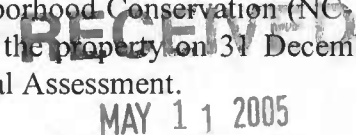
4.2 ACRES ± ON ROBERTA DRIVE IN HARBORVIEW SUBDIVISION, KENT ISLAND
QUEEN ANNE'S COUNTY, FOURTH ELECTION DISTRICT
TAX MAP 57, BLOCK 14, PARCELS 100 & 530

INTRODUCTION

The properties are located in the Harborview Subdivision on the south and west side of Roberta Drive, about 500 feet west of its intersection with Cox Neck Road in Chester, Kent Island, Queen Anne's County. The properties' location and configuration are depicted in Figure 1, while their location can be found on Queen Anne's County ADC Map 23, B4.

The contiguous properties are generally shaped like a 'J' lying on its back with the perpendicular intersection of Cecil Drive and Roberta Drive forming the elbow of the 'J'. Northernmost Parcel 530 comprises 1.457 acres, forms the base of the 'J', bounds both Cecil Drive and Roberta Drive, and contains an existing two-story house and shed adjacent to the streets' intersection, a mowed lawn interspersed with numerous landscape trees, and a bulkheaded shoreline with Cox Creek. Parcel 100 comprises 2.772 acres, forms the stalk of the 'J', bounds Roberta Drive, and contains an existing cottage central to the parcel, some mowed lawn, some fallow areas, many trees, and a pier along the Cox Creek shoreline. The combined properties are bound by developed residential lots, Cecil Drive and Roberta Drive on the north, developed residential lots on the east and south, and tidewater of Cox Creek on the west. This assessment addresses the entirety of the contiguous Parcels 100 and 530, and will hereafter be referred to as "the property."

The property is entirely within the Chesapeake Bay Critical Area, designated Limited Development Area (LDA), and is a mapped Buffer Exemption area. The property is zoned Neighborhood Conservation (NC-15) by the Queen Anne's County, Department of Planning and Zoning. I visited the property on 31 December 2004 to collect information for this Chesapeake Bay Critical Area Environmental Assessment.



PROPOSED DEVELOPMENT

The property is proposed for inclusion of 1.457 acres Parcel 530 into Parcel 100 to form a 4.2 acres parcel to then be subdivided into seven large lots, with the existing 3,381 sq. ft. (0.077 acres ±) of impervious surfaces contained in the existing dwellings and structures to be removed. Newly constructed dwellings on the 4.2 acre property will create 25,460 sq. ft. (0.58 acres ±) of impervious surfaces where 27,637 sq. ft. (0.63 acres ±) is permitted within the Critical Area designated Limited Development Area (LDA). The new lots will be accessed directly from Cecil Drive and/or Roberta Drive, and provided sewage effluent disposal into an existing public system. Potable water will be provided by individual on-site wells.

EXISTING NATURAL FEATURES

AQUATIC RESOURCES

Shoreline Erosion Rate

The west side of the property has about 450 feet of shoreline with tidewater of Cox Creek. The northern half is bulkheaded, while the southern portion is a narrow linear area of wetlands covered in mostly herbaceous vegetation. Cox Creek is about 1500 feet wide at this point. The narrow tributary of shallow water with a short fetch appears to minimize any turbidity erosion from flooding, wind and tides, however waves from boat traffic in the narrow waterway may create shoreline erosion. The Queen Anne's County, Department of Planning and zoning modified U.S. Department of the Interior, FWS, 1982 National Wetland Inventory, Kent Island, MD Map suggests shoreline erosion is not appreciable in this narrow, protected portion of Cox Creek.

Submerged Aquatic Vegetation

The U.S. Environmental Protection Agency (EPA), Chesapeake Bay Program (<http://www.vims.edu/bio/sav/sav01/quads/qe032.ht>), 2001 Distribution of Submerged Aquatic Vegetation in the Chesapeake Bay and Tributaries and the Coastal Bays SAV aerial and ground census plots no SAVs in this upper portion of Cox Creek, however reports previously conducted by EPA in various years during the 1980s and 1990s, and the Chesapeake Bay Program, Living Resources Subcommittee, 1991 Habitat Requirements of Chesapeake Bay Living Resources plot *Ruppia maritima*, *Potamogeton pectinatus*, and *Potamogeton perfoliatus* growing in portion of Upper Cox Creek. It should be noted these censuses sometimes do not include the upper reaches of tributaries. I saw or found no SAV remnants offshore from the property or along the shoreline on this winter site visit.

Fish Spawning

The Queen Anne's County, Department of Planning & Zoning, 1995 Queen Anne's County, Natural Resources Map, the Chesapeake Bay Living Resources Subcommittee, 1991 Habitat Requirements for Chesapeake Bay Living Resources, and the University of Maryland, Natural Resources Institute, 1973 The Chesapeake Bay in Maryland: An Atlas of Natural Resources all indicate most anadromous species of fish do not spawn in upper Cox Creek, but the latter two sources suggest the possibility of Bay Anchovy spawning in Cox Creek.

Shellfish

The Queen Anne's County, Department of Planning & Zoning, 1995 Queen Anne's County, Natural Resources Map, the Chesapeake Bay Living Resources Subcommittee, 1991 Habitat Requirements for Chesapeake Bay Living Resources, and the University of Maryland, Natural Resources Institute, 1973 The Chesapeake Bay in Maryland: An Atlas of Natural Resources all depict beds of the American Oyster in upper Cox Creek, while the Living Resources study plots high-density of Soft-shelled Clam may occur in shallow tidewater offshore from the property.

Fin Fish

The University of Maryland, Natural Resources Institute, 1973 The Chesapeake Bay in Maryland: An Atlas of Natural Resources, and the Chesapeake Bay Program, Living Resources Subcommittee, 1991 Habitat Requirements for Chesapeake Bay Living Resources show American Shad, Menhaden Alewife, Blue-backed

Herring, American Eel, White Perch, Atlantic Silverside, and Bay Anchovy may occur in open water of Cox Creek offshore from the property.

Waterfowl Concentration Areas

The Queen Anne's County, Department of Planning & Zoning, 1995 Queen Anne's County, Natural Resources Map, and the University of Maryland, Natural Resources Institute, 1973 The Chesapeake Bay in Maryland: An Atlas of Natural Resources indicate historically hundreds of geese and/or surface-feeding ducks wintered in upper portion of Cox Creek south of the property. A small flock of Canada Geese is noted in Cox Creek south of the property during the site visit.

TERRESTRIAL RESOURCES

Topography

The U.S. Geological Survey, 1973 (Photo-revised) Kent Island, MD Topographic Quadrangle Map (Figure 1) plots no topographic contours anywhere on the Cox Neck peninsula suggesting the entire area is level. The map does give a spot elevation of 13 feet above sea level along Cox Neck Road, about 1,000 feet north of its intersection with Roberta Drive. The site visit found the property is generally level and void of slopes.

Property topography and elevations are best realized by the elevation survey plotted on the McCrone, Inc., 2004 Major Subdivision on the lands of Lacrosse Homes, Inc. that shows property elevations range 3 – 13 feet above sea level with the lowest elevations in the southwest corner of the property.

Soils

Figure 2A is taken from the U.S. Department of Agriculture, SCS/NRCS, 2002 Soil Survey of Queen Anne's County, MD, Sheet 31 and maps nearly the entire property as non-hydric Mattapex-Butlertown silt loam soils (MtA, MtB). An exception occurs in the southwest corner of the property where hydric Bestpitch peat is found in association with the low topography near tidewater. Seasonally near-surface groundwater, slow permeability, and poor structural strength in Mattapex-Butlertown soils may create severe limitations for disposal of sewage effluent and vehicle roadways, but limitations are only modest for home sites. Soil configurations from the Soil Survey are plotted on the McCrone, Inc., 2004 Major Subdivision on the lands of Lacrosse Homes, Inc.

100-Year Flood Plain

The Federal Emergency Management Agency, 1984 Queen Anne's County, MD, Unincorporated Areas, Flood Insurance Rate Map 240054, Panels 0045B and 0046C indicates most of the property is in Flood Hazard Zone "C," an area of minimal flooding. An exception occurs along the shoreline where about 100 feet of the west portion of the property is in Flood Hazard Zone "A," within limits of the 100-year flood, while paralleling landward of Flood Hazard Zone "A" a somewhat narrower linear area is in Flood Hazard Zone "B," between limits of the 100-year and 500-year floods. Flood Zones from the FEMA Map are plotted on the McCrone, Inc., 2004 Major Subdivision on the lands of Lacrosse Homes, Inc.

Wetlands

Figure 2B is taken from the U.S. Department of the Interior, FWS 1982 National Wetland Inventory, Kent Island, MD Map and plots Estuarine, sub-tidal, open water wetlands (E1OWL) of tidewater Cox Creek

adjoining the west side of the property. This wetland margin is field survey located, and plotted on the McCrone, Inc., 2004 Major Subdivision on the lands of Lacrosse Homes, Inc. until a current wetland field delineation is reviewed and approved by a U.S. Army Corps of Engineers, Wetland Jurisdictional Determination Review.

Hydrology and Streams

The U.S. Geological Survey, 1973 (Photo-revised) Kent Island, MD Topographic Quadrangle Map (Figure 1) plots no bodies of surface hydrology (pond, impoundment) or streams on the property landward of Cox Creek, and this is confirmed by the site visit.

Vegetative Cover

Loblolly Pine and Red Maple 12-20 inches in diameter are dominant in the mid-successional, deciduous/coniferous areas of trees covering portion of the property. A few deciduous trees may approach or exceed 30 inches in diameter. An understory is lacking, while Japanese Honeysuckle and Poison Ivy characterize fallow portions. High Tide Bush and Salt-marsh Cord-grass occur along the shoreline with Cox Creek.

Wildlife

Open tidewater, shoreline, and extensive areas of tree habitats may provide cover, small prey, seeds, berries, insects, and other invertebrate foods for some species of wildlife. The small size of the property located in a developed area, however, severely limits the amount of those habitats available to wildlife. Listed are the few species of wildlife observed during the site visit.

Canada Goose	European Starling	Downy Woodpecker
Mourning Dove	Northern Cardinal	Northern Flicker
Blue Jay	Song Sparrow	Gray Squirrel

Rare and Endangered Species or Habitats

No federal or state protected species of plant, animal, or habitat was found during the site visit. An Environmental Review for rare, threatened, and endangered species and/or habitats was requested from the Maryland Department of Natural Resources, Wildlife and Heritage Service on 1 January 2005. The Department of Natural Resources responded on 28 March 2005, informing a protected waterbird colony of Great Blue Heron is located on the opposite side of Cox Creek, about 0.25 mile (actually about 1,200 – 1,500 feet) southwest of the subject property. Timber harvesting, clearing, grading, and/or construction are prohibited annually from 15 February through 31 July on properties within 1,320 feet of the protected colony. A copy of the complete DNR response is enclosed herein.

The Queen Anne's County, Department of Planning and Zoning 1995 Queen Anne's County, Natural Resources Map plots the nearest occurrence of the protected Delmarva Fox Squirrel over five miles east of the property, and nearest nest site of the protected Bald Eagle over one mile east of the property. The map plots several Colonial Nesting Water Bird sites within one mile northwest, west, and southwest of the property, with the nearest being the nesting Great Blue Heron Colony, referenced above. The U.S. Department of the Interior FWS, Chesapeake Bay Field Office, 2004 Delmarva Fox Squirrel Occurrence in Queen Anne's County, MD plots the nearest squirrel occurrence over four miles east of the property.

PRECAUTIONS FOR POTENTIAL ENVIRONMENTAL IMPACTS

The McCrone, Inc., 2004 Major Subdivision on the lands of Lacrosse Homes, Inc. and/or this assessment denote the absence of property shoreline erosion, fish spawning, steep slopes, surface hydrology, streams, and rare or endangered species that may require protective measures within the Critical Area Regulations. Conversely, it is noted that submerged aquatic vegetation, shellfish beds, various species of finfish, and concentrations of wintering waterfowl may occur offshore from the property while construction on the property is prohibited during the nesting season of a nearby colony of Colonial Waterbirds. Plotted are landward limits of the 100-foot shoreline buffer, 100- and 500-year floods, and extent and configuration of hydric soil on the property. An approved Sediment and Erosion Control Plan will be developed in accordance with the Queen Anne's County Soil Conservation Service standards prior to any clearing, well-drilling, excavation, grading, filling, or construction exceeding 5,000 sq. ft. on the property to decrease the quantity and improve the quality of stormwater runoff to Cox Creek. Disposal of sewage effluent will be provided by an existing public system.

SUMMARY

The entire property is within the Chesapeake Bay Critical Area designated Limited Development Area (LDA) where this proposal is to combine two existing parcels before subdividing the combined properties into seven large lots. There is no shoreline erosion, fish spawning, steep slopes, surface hydrology, and rare or endangered wildlife or habitats, while lots will be provided access and disposal of sewage effluent by existing public roadways and systems. Potable water will be supplied by individual on-site wells. Submerged aquatic vegetation, shellfish beds, finfish occurrence, and wintering waterfowl may occur in Cox Creek offshore from the property. The property does contain some hydric soil, portions are within limits of the 100-year flood plain, and the property bounds open-water estuarine wetlands, while a protected colony of waterbirds are located within 0.25 mile of the site. All of these factors are noted in this assessment and/or plotted on the McCrone, Inc., 2004 Major Subdivision on the lands of Lacrosse Homes, Inc.

SURVEYOR'S CERTIFICATE

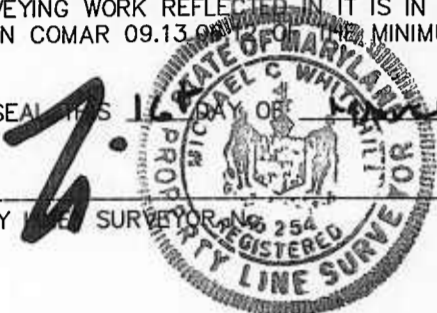
THIS IS TO CERTIFY THAT THE UNDERSIGNED, REGISTERED MARYLAND SURVEYOR NO. 254, HAS SURVEYED AND SUBDIVIDED THE PROPERTY AS DESCRIBED AND SHOWN ON THE ANNEXED PLAT AND THAT SUCH PLAT IS A CORRECT REPRESENTATION OF THAT SURVEY AND SUBDIVISION. ALL DISTANCES ARE SHOWN IN FEET AND DECIMALS THEREOF. ALL LOTS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

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

I FURTHER CERTIFY THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF, THE BOUNDARY (OR TOPOGRAPHIC, SPECIAL PURPOSE) SURVEY SHOWN HEREON WAS PREPARED BY McCRONE, INC. AT WHICH TIME THE UNDERSIGNED REGISTERED SURVEYOR WAS IN RESPONSIBLE CHARGE OF ITS PREPARATION AND THE SURVEYING WORK REFLECTED IN IT IS IN COMPLIANCE WITH THE REQUIREMENTS STATED IN COMAR 09.13.01. THE MINIMUM STANDARDS FOR SURVEYORS.

AS WITNESS MY HAND AND SEAL THIS 11th DAY OF JANUARY, 2005

PROFESSIONAL (OR PROPERTY) SURVEYOR
DATE



PURPOSE AND INTENT STATEMENT

THE PURPOSE OF THIS PLAT IS TO ADD 1.457 ACRES OF LAND (ALL THE LANDS OF PARCEL 530) TO PARCEL 100, AND TO CREATE SEVEN (7) LARGE LOTS. THE ZONING OF THIS PROPERTY IS NC-15.

PLANNING COMMISSION CERTIFICATE

THIS IS TO CERTIFY THAT THE ANNEXED PLAT OF SUBDIVISION WAS APPROVED BY THE PLANNING COMMISSION OF QUEEN ANNE'S COUNTY ON THE _____ DAY OF _____, 20____.

QUEEN ANNE'S COUNTY PLANNING COMMISSION
CHAIRMAN

PLANNING COMMISSION ATTORNEY CERTIFICATE

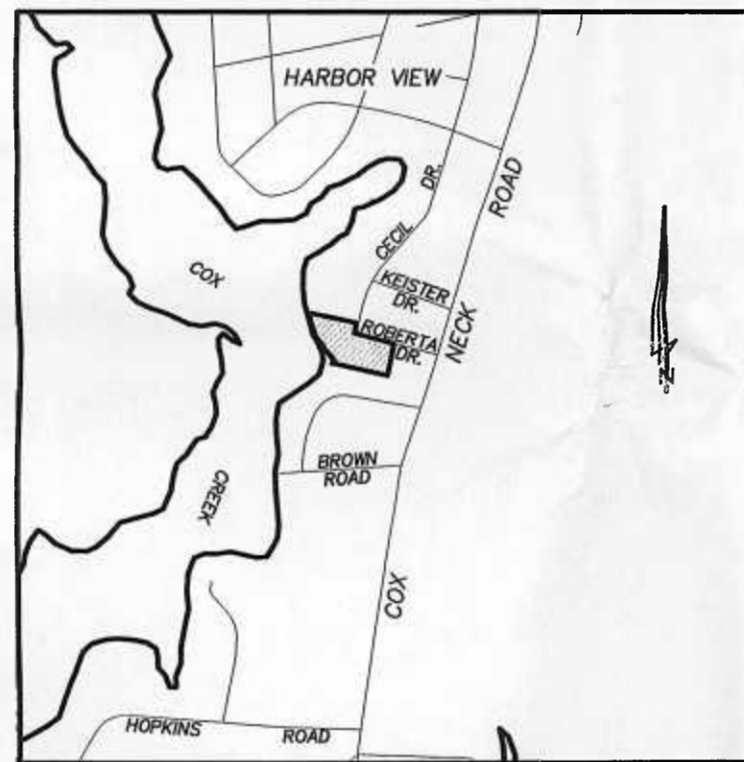
THE UNDERSIGNED, COUNTY ATTORNEY FOR QUEEN ANNE'S COUNTY, HEREBY CERTIFIES THAT ACCEPTABLE SURETY FOR REQUIRED IMPROVEMENTS SHOWN ON THE ANNEXED PLAT HAS BEEN FURNISHED IN ACCORDANCE WITH THE QUEEN ANNE'S COUNTY ZONING ORDINANCE.

PLANNING COMMISSION ATTORNEY

OWNER'S CERTIFICATE

THIS IS TO CERTIFY THAT THE UNDERSIGNED IS/ARE THE OWNER(S) OF THE LAND DESCRIBED IN THE ANNEXED PLAT AND THAT I/WE HAVE CAUSED THE LAND TO BE SURVEYED AND SUBDIVIDED AS INDICATED THEREON FOR THE USES AND PURPOSES SET FORTH HEREIN. I/WE ALSO CERTIFY TO THE BEST OF MY/OUR KNOWLEDGE THAT ALL RECORDED AND UNRECORDED EASEMENTS, RESTRICTIONS, RESERVATIONS OR COVENANTS HAVE BEEN INDICATED ON THE ANNEXED PLAT. I/WE HEREBY ACKNOWLEDGE AND ADOPT THE SAME AS MY/OUR ACT THE _____ DAY OF _____, 20____.

OWNER(S)



VICINITY MAP
SCALE: 1" = 1,500'

CONTENTS OF PLAT

- SHEET 1 TITLE SHEET
- SHEET 2 ADMINISTRATIVE SUBDIVISION
- SHEET 3 MAJOR SUBDIVISION
- SHEET 4 CRITICAL AREA REFORESTATION AND STREET BUFFER PLANTING PLAN
- SHEET 5 CRITICAL AREA REFORESTATION NOTES AND PLANTING SPECIFICATIONS

PUBLIC WORKS CERTIFICATE

THIS IS TO VERIFY THAT THE ANNEXED PLAT OF SUBDIVISION WAS APPROVED BY THE DEPARTMENT OF PUBLIC WORKS OF QUEEN ANNE'S COUNTY ON THE _____ DAY OF _____, 20____.

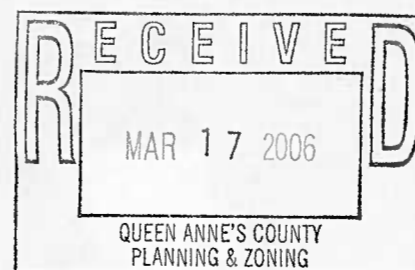
DEPARTMENT OF ENVIRONMENTAL HEALTH CERTIFICATE

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

COUNTY FINANCE OFFICER'S CERTIFICATE

THE FINANCE OFFICER OF QUEEN ANNE'S COUNTY HEREBY CERTIFIES THAT THERE ARE NO DELINQUENT GENERAL TAXES AND NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND SHOWN ON THE ANNEXED PLAT AND THAT I HAVE RECEIVED ALL FEES AND TAXES ASSESSED AGAINST SUCH LAND. AS WITNESSED BY MY SIGNATURE THIS _____ DAY OF _____, 20____.

COUNTY FINANCE OFFICER



RECEIVED
 MAR 22 2006
 CRITICAL AREA COMMISSION



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

207 NORTH LIBERTY STREET
 CENTREVILLE, MARYLAND
 (410) 758-2237

ANNAPOLIS - CENTREVILLE - DOVER - ELKTON - SALISBURY

DATE	JANUARY 2005	SCALE	1" = 1,500'
JOB NO.	D1040447	DRAWN BY	BWF
FOLDER REF	45-A	DESIGNED BY	
		APPROVED BY	D. JOINER
DATE	5/4/05	REVISION	
	1/3/06	PER 1/27/05 STAC REPORT	
	2/10/06	PER 7/6/05 STAC REPORT	
	3/17/06	PER 2/7/06 STAC REPORT	
		PER 2/24/06 COMMENTS	

MAJOR SUBDIVISION
 ON THE LANDS OF
LACROSSE HOMES, INC.
 TAX MAP 57, GRID 13, PARCEL 100 & 530
 FOURTH ELECTION DISTRICT, QUEEN ANNE'S COUNTY, MARYLAND
 PREPARED FOR: LACROSSE HOMES, INC.

MARYLAND GRID 83/91

SITE ACREAGE SUMMARY

Table with 2 columns: Description and Value. Includes GROSS AREA (4.229 AC.±), CRITICAL AREA (LDA) (4.229 AC.±), LESS AREA OF TIDAL WETLANDS (0.031 AC.±), etc.

CAPACITY CALCULATIONS

Table with 2 columns: Description and Value. Includes TOTAL TRACT AREA (4.229 AC.±), CHESAPEAKE BAY CRITICAL AREA (LDA) (4.229 AC.±), LESS AREA OF TIDAL WETLANDS (0.031 AC.±), etc.

LEGEND:

- Denotes DEED POINT (UNLESS OTHERWISE NOTED)
C.M.F. DENOTES CONCRETE MONUMENT FOUND
Denotes PROPOSED WELL (UNLESS OTHERWISE NOTED)
B.R.L. DENOTES BUILDING RESTRICTION LINE
N/F DENOTES NOW OR FORMERLY
Denotes SEWER MANHOLE
Denotes SEWER VALVE
Denotes CLEAN OUT
Denotes TELEPHONE PEDESTAL
Denotes CABLE BOX
Denotes EXISTING SOILS
Denotes EXISTING FLOOD ZONE
Denotes WOODS LINE
Denotes GREAT BLUE HERON PROTECTION AREA
Denotes LIMIT OF DISTURBANCE

NOTES:

- 1. THE PURPOSE OF THIS PLAT IS TO CREATE 7 LARGE LOTS FROM THE EXISTING PARCEL.
2. FOR DEED REFERENCE, SEE S.M. 1357/ 490
3. THE PROPERTY SHOWN HEREON IS LOCATED ON TAX MAP 57, GRID 14, PARCEL 100.
4. CURRENT ZONING - NC-15
5. LOTS SHOWN HEREON ARE ENTIRELY LOCATED WITHIN THE CRITICAL AREA DESIGNATION - LDA.
6. SUBJECT SITE IS A MAPPED BUFFER EXEMPTION AREA. NEW DEVELOPMENT OR REDEVELOPMENT IN THE BUFFER EXEMPTION AREA IS NOT PERMITTED UNLESS THE APPLICANT CAN DEMONSTRATE AND THE PLANNING DIRECTOR FINDS THAT NO FEASIBLE ALTERNATIVE EXISTS. THE INTRUSION MUST BE THE LEAST NECESSARY. (14-1-53D.(1))
7. SOILS LOCATED ON THE SITE ARE Bp, Mtb & Mta AS SCALED FROM THE QUEEN ANNE'S COUNTY SOILS SURVEY MAP #31.
8. A SECOND TIER HISTORIC PRESERVATION DOCUMENTATION WAS UNDERTAKEN IN MAY 2005 TO DOCUMENT THE INTERIOR AND EXTERIOR OF THE 1911 HOUSE. IT IS THE APPLICANT'S INTENT TO RAZE ALL STRUCTURES ON SITE.
9. LOTS SHOWN HEREON ARE PROPOSED TO BE SERVED BY PRIVATE WATER AND PUBLIC SEWER.
10. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A REVIEW OF AN ABSTRACT OF TITLE.
11. THE PROPERTY SHOWN HEREON IS LOCATED IN FLOOD ZONE "A7, B, C" AS SCALED FROM F.I.R.M. COMMUNITY PANEL No. 24054 0045 B & 24054 0046 B.
12. MINIMUM REQUIRED LOT SIZE - 15,000 SQ.FT.±
13. MINIMUM SETBACK REQUIREMENTS: FRONT - 35', SIDE - 8'/18', REAR - 50'
14. THERE APPEAR TO BE NO STEEP SLOPES LOCATED ON THIS PROPERTY.
15. THE EDGE OF WOODS SHOWN HEREON WERE TAKEN FROM THE ORTHOMETRIC PHOTOGRAPH OF QUEEN ANNE'S COUNTY.
16. SEE SHEET 6 OF 6 FOR THE STORMWATER MANAGEMENT CREDITS PLAN.
17. PRIOR TO ANY ADDITIONAL CUTTING OR CLEARING OF ANY FOREST OR WOODLANDS WITHIN THE CRITICAL AREA SHOWN HEREON OR PRIOR TO THE ISSUANCE OF ANY BUILDING PERMIT OR SEDIMENT CONTROL PERMIT WITHIN THE CRITICAL AREA LIMITED DISTURBANCE AREA (LDA), COMPLIANCE IS REQUIRED WITH THE QUEEN ANNE'S COUNTY CODE, CHAPTER 14, ENVIRONMENTAL PROTECTION(1996)(SECTION 14-1-53D.4.).
18. DRIVEWAY ENTRANCES SHALL BE INSTALLED IN ACCORDANCE WITH COUNTY DETAIL NO. RD-105.02 AND ENTRANCE PERMITS SHALL BE OBTAINED THROUGH THE COUNTY ROADS DIVISION.
19. SHELLFISH HABITAT AREAS FOR OYSTERS AND SOFT-SHELLED CLAMS HAVE HISTORICALLY EXISTED OFFSHORE FROM THE SUBJECT SITE AND IN COX CREEK.
20. A COLONIAL WATERBIRD NESTING SITE EXISTS ACROSS COX CREEK FROM THE SUBJECT SITE. PROTECTION ZONES 1 AND 2 FALL WITHIN COX CREEK. PROTECTION ZONE 3 PARTIALLY FALLS WITHIN THE SUBJECT SITE. SEE GREAT BLUE HERON PROTECTION PLAN BELOW.
21. ACCORDING TO THE USGS QUADRANGLE MAP FOR KENT ISLAND, MARYLAND, PHOTOREVISED 1973, NO STREAM RESOURCES OCCUR ON THE SUBJECT SITE.
22. NO SHORELINE PROTECTION IS PROPOSED AT THIS TIME. SHOULD EROSION ACCELERATE OR BECOME WORSE, SHORELINE PROTECTION MEASURES MAY BE WARRANTED.
23. THE 100' CRITICAL AREA BUFFER IS MEASURED FROM THE EXISTING SHORELINE OR THE TIDAL WETLANDS.



McCRONE ENGINEERING & SURVEYING

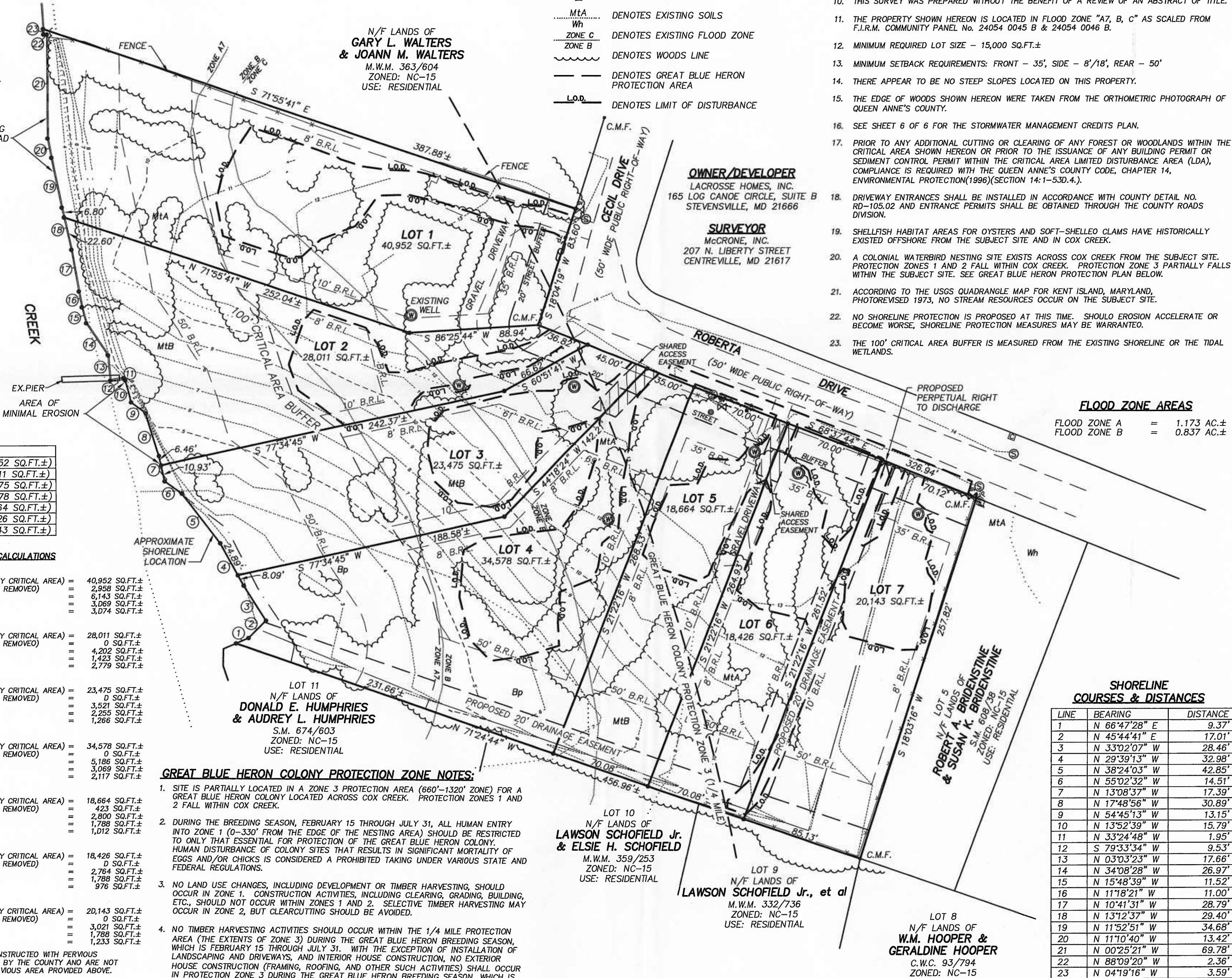
LAND PLANNING & SURVEYING CONSTRUCTION SERVICES

207 NORTH LIBERTY STREET CENTREVILLE, MARYLAND (410) 758-2237

ANNAPOLIS - CENTREVILLE - DOVER - ELKTON - SALISBURY

Table with 4 columns: DATE, SCALE, JOB NO., FOLDER REF. Includes dates from 5/4/05 to 3/17/06 and scale 1"=50'.

Major subdivision information for LACROSSE HOMES, INC. including address (TAX MAP 57, GRID 13, PARCEL 100 & 530), location (FOURTH ELECTION DISTRICT, QUEEN ANNE'S COUNTY, MARYLAND), and preparation details (PREPARED FOR: LACROSSE HOMES, INC.).



AREA TABLE with 2 columns: LOT and AREA. Lists areas for 7 lots in square feet and acres.

IMPERVIOUS SURFACE CALCULATIONS

Table with 2 columns: Lot and Calculations. Shows total lot area, existing impervious area, and remaining impervious area for lots 1 through 7.

FLOOD ZONE AREAS table with 2 columns: Flood Zone and Area. Shows Flood Zone A (1.173 AC.±) and Flood Zone B (0.837 AC.±).

SHORELINE COURSES & DISTANCES table with 3 columns: LINE, BEARING, and DISTANCE. Lists 23 shoreline points with bearings and distances.

GREAT BLUE HERON COLONY PROTECTION ZONE NOTES:

- 1. SITE IS PARTIALLY LOCATED IN A ZONE 3 PROTECTION AREA (660'-1320' ZONE) FOR A GREAT BLUE HERON COLONY LOCATED ACROSS COX CREEK. PROTECTION ZONES 1 AND 2 FALL WITHIN COX CREEK.
2. DURING THE BREEDING SEASON, FEBRUARY 15 THROUGH JULY 31, ALL HUMAN ENTRY INTO ZONE 1 (0-330' FROM THE EDGE OF THE NESTING AREA) SHOULD BE RESTRICTED TO ONLY THAT ESSENTIAL FOR PROTECTION OF THE GREAT BLUE HERON COLONY. HUMAN DISTURBANCE OF COLONY SITES THAT RESULTS IN SIGNIFICANT MORTALITY OF EGGS AND/OR CHICKS IS CONSIDERED A PROHIBITED TAKING UNDER VARIOUS STATE AND FEDERAL REGULATIONS.
3. NO LAND USE CHANGES, INCLUDING DEVELOPMENT OR TIMBER HARVESTING, SHOULD OCCUR IN ZONE 1. CONSTRUCTION ACTIVITIES, INCLUDING CLEARING, GRADING, BUILDING, ETC., SHOULD NOT OCCUR WITHIN ZONES 1 AND 2. SELECTIVE TIMBER HARVESTING MAY OCCUR IN ZONE 2, BUT CLEARCUTTING SHOULD BE AVOIDED.
4. NO TIMBER HARVESTING ACTIVITIES SHOULD OCCUR WITHIN THE 1/4 MILE PROTECTION AREA (THE EXTENTS OF ZONE 3) DURING THE GREAT BLUE HERON BREEDING SEASON, WHICH IS FEBRUARY 15 THROUGH JULY 31. WITH THE EXCEPTION OF INSTALLATION OF LANDSCAPING AND DRIVEWAYS, AND INTERIOR HOUSE CONSTRUCTION, NO EXTERIOR HOUSE CONSTRUCTION (FRAMING, ROOFING, AND OTHER SUCH ACTIVITIES) SHALL OCCUR IN PROTECTION ZONE 3 DURING THE GREAT BLUE HERON BREEDING SEASON, WHICH IS FEBRUARY 15 THROUGH JULY 31.

MARYLAND GRID 83/91

EXISTING BULKHEAD

REFORESTATION AREA #1

REFORESTATION AREA #2

CREEK

REFORESTATION AREA #1

AREA = 2,657± SQ. FT. (0.061 AC.±)

LINE	LENGTH	BEARING
L1	55.15'	S 32°14'57" E
L2	28.50'	N 87°57'19" W
L3	28.98'	S 22°25'55" W
L4	18.58'	N 84°03'09" W
L5	14.32'	N 14°57'30" W
L6	64.11'	N 13°11'09" E
L7	18.58'	S 71°55'41" E

REFORESTATION AREA #2

AREA = 8,811± SQ. FT. (0.202 AC.±)

LINE	LENGTH	BEARING
L8	28.89'	N 84°08'24" E
L9	16.97'	S 08°58'19" W
L10	66.08'	S 76°27'59" E
L11	25.95'	S 10°05'07" E
L12	39.10'	S 47°34'29" W
L13	19.87'	S 47°19'09" E
L14	54.89'	N 88°57'45" E
L15	32.21'	S 26°03'47" E
L16	15.94'	S 33°43'41" W
L17	41.79'	S 88°25'30" W
L18	24.92'	S 16°51'13" E
L19	19.47'	N 77°00'11" W
L20	65.03'	N 26°18'57" W
L21	64.26'	N 47°03'31" W
L22	55.61'	N 11°50'36" W

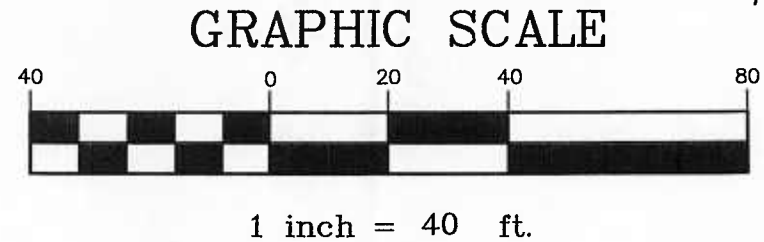
CRITICAL AREA
REFORESTATION/MITIGATION CALCULATIONS

CHAPTER 14:1-38D.(6)(B), CHAPTER 14:1-54, CHAPTER 18-1:66

EXISTING TREES IN THE CRITICAL AREA = 461 TREES
 PERMITTED CLEARING = 92 TREES (20%)
 PROPOSED CLEARING FOR DEVELOPMENT = 85 TREES (18%)
 REFORESTATION REQUIRED AT 1:1 RATIO = 85 TREES
 REFORESTATION PROVIDED = 85 TREES

OWNER/DEVELOPER
LACROSSE HOMES, INC.
165 LOG CANOE CIRCLE, SUITE B
STEVENSVILLE, MD 21666

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



SEE SHEET 5 FOR PLANTING CALCULATIONS, SCHEDULE AND SPECIFICATIONS.

N/F LANDS OF
GARY L. WALTERS
& **JOANN M. WALTERS**
M.W.M. 363/604
ZONED: NC-15
USE: RESIDENTIAL



- LEGEND:**
- DENOTES DEED POINT (UNLESS OTHERWISE NOTED)
 - TPF— DENOTES TREE PROTECTION FENCE
 - C.M.F. DENOTES CONCRETE MONUMENT FOUND
 - ⊙ DENOTES PROPOSED WELL (UNLESS OTHERWISE NOTED)
 - B.R.L. DENOTES BUILDING RESTRICTION LINE
 - N/F DENOTES NOW OR FORMERLY
 - ⊙ DENOTES SEWER MANHOLE
 - ⊗ DENOTES SEWER VALVE
 - ⊙ DENOTES CLEAN OUT
 - ⊙ DENOTES TELEPHONE PEDESTAL
 - L.O.D. DENOTES LIMIT OF DISTURBANCE
 - ⊠ DENOTES CABLE BOX
 - MtA DENOTES EXISTING SOILS
 - Wh DENOTES EXISTING FLOOD ZONE
 - DENOTES EXISTING FLOOD ZONE
 - DENOTES WOODS LINE
 - DENOTES DEVELOPED WOODLAND AREA TO BE CLEARED
 - DENOTES PROPOSED SHADE TREE
 - DENOTES PROPOSED UNDERSTORY TREE
 - DENOTES PROPOSED SHRUB
 - DENOTES GREAT BLUE HERON PROTECTION AREA

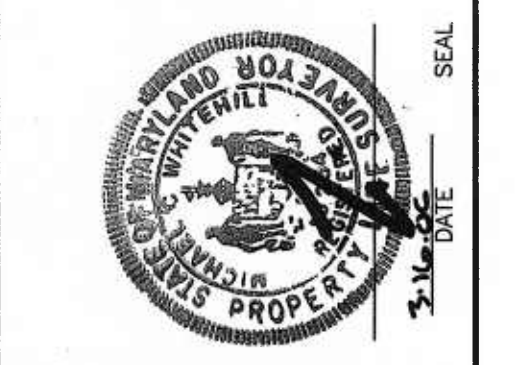
STREET BUFFER REQUIREMENTS (CHAPTER 18:1-76)

REQUIRED: NC-15 ZONING AND ROBERTA DRIVE AND CECIL DRIVE
 REQUIRES A 'C' BUFFER OF 20 FEET WIDE AND
 THREE PLANT UNITS PER 150 LINEAL FEET OF ROAD FRONTAGE.
 410 L.F. OF ROAD FRONTAGE

150 = 2.73 x 3 = 8.19 ALTERNATIVE
 #2 PLANT UNITS.

8.19 OR 8 2" CAL. TREES (0 PROVIDED)**
 8.19 OR 8 1.5" CAL. UNDERSTORY TREES (0 PROVIDED)**
 8.19 OR 8 1.5" CAL. UNDERSTORY TREES (0 PROVIDED)**
 81.90 OR 82 18" HIGH SHRUBS

**NOTE: 30 TREES OVER 2" CALIPER CURRENTLY
 EXIST IN THE 20' STREET BUFFER THAT ARE TO
 REMAIN. THIS INCLUDES 23 DECIDUOUS TREES
 AND 7 EVERGREEN TREES.



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

SCALE	1"=40'
DATE	JANUARY 2005
JOB NO.	D1040447
FOLDER REF	45-A
DESIGNED BY	LAS
APPROVED BY	D. JOINER
REVISION	
DATE	5/4/05
	PER 1/27/05 STAC REPORT
	PER 7/8/05 STAC REPORT
	PER 2/10/06
	PER 2/24/06 COMMENTS

CRITICAL AREA REFORESTATION AND STREET BUFFER PLANTING PLAN

ON THE LANDS OF
LACROSSE HOMES, INC.
TAX MAP 57, GRID 13, PARCEL 100 & 530
FOURTH ELECTION DISTRICT, QUEEN ANNE'S COUNTY, MARYLAND
PREPARED FOR: LACROSSE HOMES, INC.

SHEET NO. — 4 OF 5
CADD FILE — 04447-SU4

LOT 11
N/F LANDS OF
DONALD E. HUMPHRIES
& **AUDREY L. HUMPHRIES**
S.M. 674/603
ZONED: NC-15
USE: RESIDENTIAL

LOT 10
N/F LANDS OF
LAWSON SCHOFIELD Jr.
& **ELSIE H. SCHOFIELD**
M.W.M. 359/253
ZONED: NC-15
USE: RESIDENTIAL

LOT 9
N/F LANDS OF
LAWSON SCHOFIELD Jr., et al
M.W.M. 332/736
ZONED: NC-15
USE: RESIDENTIAL

LOT 8
N/F LANDS OF
W.M. HOOPER & GERALDINE HOOPER
C.W.C. 93/794
ZONED: NC-15
USE: RESIDENTIAL

LOT 5
N/F LANDS OF
ROBERT A. BRIDENSTINE
& **SUSAN K. BRIDENSTINE**
S.M. 608/38
ZONED: NC-15
USE: RESIDENTIAL

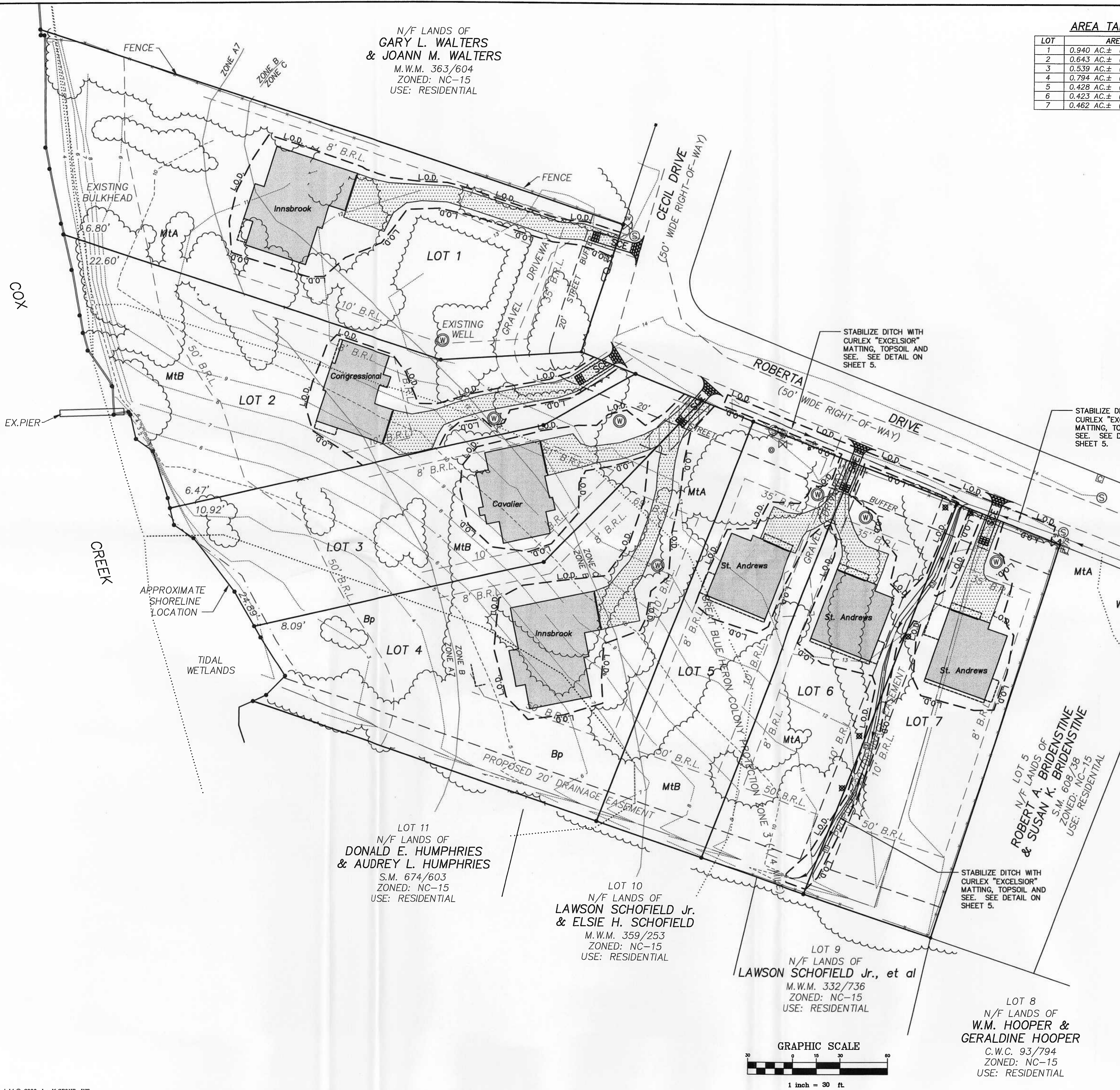
N/F LANDS OF
**GARY L. WALTERS
 & JOANN M. WALTERS**
 M.W.M. 363/604
 ZONED: NC-15
 USE: RESIDENTIAL

AREA TABLE

LOT	AREA
1	0.940 AC.± (40,952 SQ.FT.±)
2	0.643 AC.± (28,011 SQ.FT.±)
3	0.539 AC.± (23,475 SQ.FT.±)
4	0.794 AC.± (34,578 SQ.FT.±)
5	0.428 AC.± (18,664 SQ.FT.±)
6	0.423 AC.± (18,426 SQ.FT.±)
7	0.462 AC.± (20,143 SQ.FT.±)

LEGEND:

- DENOTES DEED POINT (UNLESS OTHERWISE NOTED)
- C.M.F. DENOTES CONCRETE MONUMENT FOUND
- ⊕ DENOTES PROPOSED WELL (UNLESS OTHERWISE NOTED)
- B.R.L. DENOTES BUILDING RESTRICTION LINE
- N/F DENOTES NOW OR FORMERLY
- ⊙ DENOTES SEWER MANHOLE
- ⊕ DENOTES SEWER VALVE
- ⊕ DENOTES CLEAN OUT
- ⊕ DENOTES TELEPHONE PEDESTAL
- ⊕ DENOTES CABLE BOX
- ⊕ DENOTES EXISTING SOILS
- ⊕ DENOTES EXISTING FLOOD ZONE
- ⊕ DENOTES WOODS LINE
- ⊕ DENOTES PROPOSED DRIVEWAY
- ⊕ DENOTES PROPOSED HOUSE
- ⊕ DENOTES GREAT BLUE HERON PROTECTION AREA
- L.O.D. LIMIT OF DISTURBANCE
- SCE STABILIZED CONSTRUCTION ENTRANCE
- EX. CONTOURS
- PROPOSED CONTOURS
- ⊕ EXISTING TREE LOCATION



STABILIZE DITCH WITH CURLEX "EXCELSIOR" MATTING, TOPSOIL AND SEE. SEE DETAIL ON SHEET 5.

STABILIZE DITCH WITH CURLEX "EXCELSIOR" MATTING, TOPSOIL AND SEE. SEE DETAIL ON SHEET 5.

IMPERVIOUS SURFACE CALCULATIONS

LOT	TOTAL LOT AREA (CHESAPEAKE BAY CRITICAL AREA)	EXISTING IMPERVIOUS AREA (TO BE REMOVED)	IMPERVIOUS AREA ALLOWED (15%)	IMPERVIOUS AREA PROPOSED	IMPERVIOUS AREA REMAINING
LOT 1	40,952 SQ.FT.±	2,958 SQ.FT.±	6,143 SQ.FT.±	3,069 SQ.FT.±	3,074 SQ.FT.±
LOT 2	28,011 SQ.FT.±	0 SQ.FT.±	4,202 SQ.FT.±	1,423 SQ.FT.±	2,779 SQ.FT.±
LOT 3	23,475 SQ.FT.±	0 SQ.FT.±	3,521 SQ.FT.±	2,255 SQ.FT.±	1,266 SQ.FT.±
LOT 4	34,578 SQ.FT.±	0 SQ.FT.±	5,186 SQ.FT.±	3,069 SQ.FT.±	2,117 SQ.FT.±
LOT 5	18,664 SQ.FT.±	423 SQ.FT.±	2,800 SQ.FT.±	1,788 SQ.FT.±	1,012 SQ.FT.±
LOT 6	18,426 SQ.FT.±	0 SQ.FT.±	2,764 SQ.FT.±	1,788 SQ.FT.±	976 SQ.FT.±
LOT 7	20,143 SQ.FT.±	0 SQ.FT.±	3,021 SQ.FT.±	1,788 SQ.FT.±	1,233 SQ.FT.±

NOTE: ALL DRIVEWAYS TO BE CONSTRUCTED WITH PERVIOUS PAVERS OR GRAVEL AND ARE NOT INCLUDED IN THE ABOVE PROPOSED IMPERVIOUS AREA.

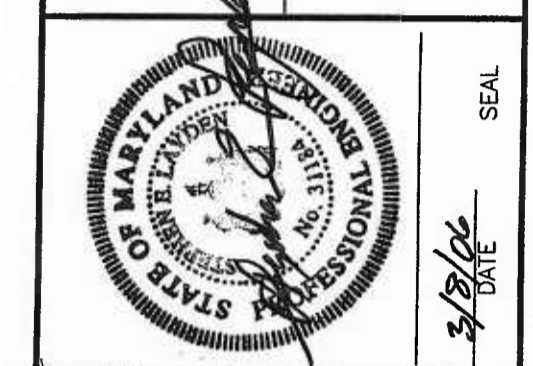
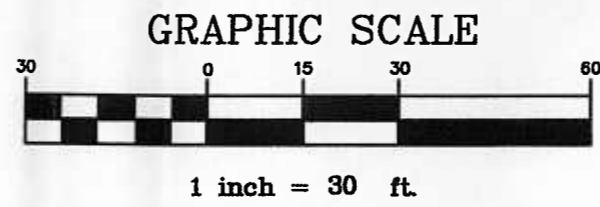
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 (410) 758-2237

DATE	SCALE	JOB NO.	DESIGNED BY	APPROVED BY	DATE	REVISION
FEB 2006	1"=30'	D1040447	HALLER	LAYDEN	3/8/06	PEE COMTS 2/21/06

SEDIMENT CONTROL PLAN
 ON THE LANDS OF
LACROSSE HOMES, INC.
 TAX MAP 57, GRID 13, PARCEL 100 & 530
 FOURTH ELECTION DISTRICT, QUEEN ANNE'S COUNTY, MARYLAND
 PREPARED FOR LACROSSE HOMES, INC.