

SM 84-05 Bashford Manor
SUB 05-110-017

8/17/05 ARE
Comments

MSA-S-1829-5169

11/30/10
File originally
cleaned by DS

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 21, 2005

Mr. Mark Kalmus
Department of Planning and Zoning
23150 Leonard Hall Drive
Leonardtwn, Maryland 20650

RE: Bashford Manor Resubdivision
#05-110-017

Dear Mr. Kalmus:

I have reviewed the proposal to subdivide Lot 4 into Lots 500-4A and 500-4B under the intrafamily transfer provisions. The site is 11.89 acres, is in the RCA, and contains the 100-foot Buffer. I have the following comments.

The transmittal sheet indicates this subdivision is proposed as an intrafamily transfer, but no plat notes or other information is provided to verify this. As this lot is in the RCA, it cannot be subdivided except through the intrafamily transfer process. It appears this lot was created in 1979 and is therefore eligible to use the intrafamily transfer provisions if it is transferred to an eligible family member. A note must be provided on the plat stating that it is an intrafamily transfer, providing the name of the recipient, and referencing the provisions in the Natural Resources Article, 8-1808.2

The site plan shows the same legend for the Critical Area Buffer and the Expanded Buffer, yet neither matches the line on the drawing. The site plan also shows the soils are hydric. It is not clear if the 150-foot Water Quality Protection Buffer is intended to be the Expanded Buffer.

The site plan refers to existing impervious surface in the 100-foot Buffer under Critical Area note #5. No impervious area is shown on the site plan in the Buffer. The site plan shows the dwelling and associated facilities on Lot 500-4B as proposed; a portion of the dwelling and the septic reserve area are shown within the 150-foot Water Quality Protection Buffer. Please clarify.

A letter from the Department of Natural Resources Heritage Division must be obtained, verifying that there are no impacts to any rare, threatened, or endangered species, before final approvals are granted.

Mr. Kalmus
March 21, 2005
Page Two

Finally, the site plan states the site is in the LDA and labels the street as Donna Drive. The site is in the RCA and the street is Bashford Lane. These errors must be corrected.

Thank you for the opportunity to review this subdivision. Please call me if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Regina A. Esslinger". The signature is written in black ink and is positioned above the printed name.

Regina A. Esslinger, Chief
Project Evaluation Division

RAE/jjd

cc: SM84-05

Robert L. Ehrlich, Jr.
Governor

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March 17, 2005

Mr. Mark Kalmus
Department of Planning and Zoning
23150 Leonard Hall Drive
Leonardtown, Maryland 20650

RE: Bashford Manor Resubdivision
#05-110-017

Dear Mr. Kalmus:

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The transmittal sheet indicates this subdivision is proposed as an intrafamily transfer, but no plat notes or other information is provided to verify this. As this lot is in the RCA, it cannot be subdivided except through the intrafamily transfer process. It appears this lot was created in 1979 and is therefore eligible to use the intrafamily transfer provisions if it is transferred to an eligible family member. A note must be provided on the plat stating that it is an intrafamily transfer, providing the name of the recipient, and referencing the provisions in the Natural Resources Article, §8-1808.2.

The site plan shows the same legend for the Critical Area Buffer and the Expanded Buffer, yet neither matches the line on the drawing. The site plan also shows the soils are hydric. It is not clear if the 150-foot Water Quality Protection Buffer is intended to be the Expanded Buffer. No "Expanded Buffer" is shown.

The site plan refers to existing impervious surface in the 100-foot Buffer under Critical Area note #5. No impervious area is shown on the site plan in the Buffer. The site plan shows the dwelling and associated facilities on Lot 500-4B as proposed; a portion of the dwelling and the septic reserve area are shown within the 150-foot Water Quality Protection Buffer. Please clarify.

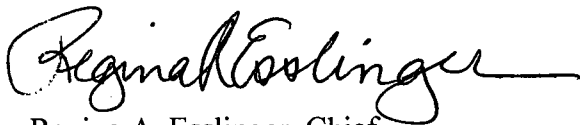
Mr. Kalmus
March 17, 2005
Page Two

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Finally, the site plan states the site is in the LDA and labels the street as Donna Drive. The site is in the RCA and the street is Bashford Lane. Please have the consultant correct these errors.

Thank you for the opportunity to review this subdivision. Please call me if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Regina A. Esslinger". The signature is written in black ink and is positioned above the typed name and title.

Regina A. Esslinger, Chief
Project Evaluation Division

RAE/jjd

cc: SM84-05

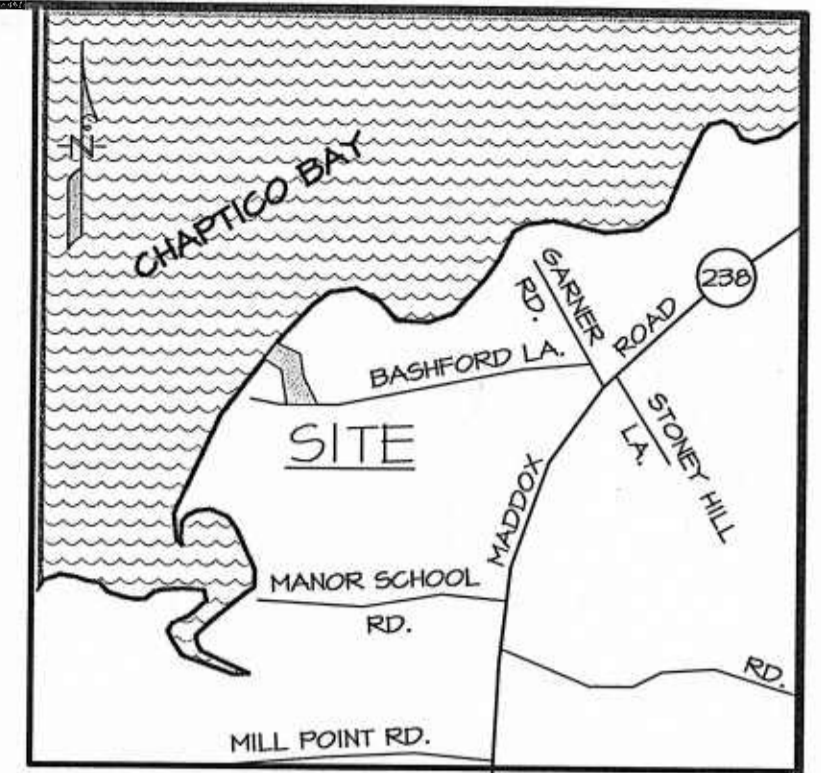
GENERAL NOTES:

- 1. Tax Map 22, Grid II, Parcel 1
Tax Account Numbers: 4-054446
The property shown hereon is zoned Rural Preservation District (RPD), and Critical Area LDA (11,8908 Ac. in Critical Area LDA), AE overlay.
Site Area = 11,8908 Acres
2. This plan has been prepared based on available records, but without the benefit of a title report.
3. There is a 100 year flood plain (Zone AE) on the property per FEMA F.I.R.M Panel No. 2403C0127E, dated October 19, 2004.
4. This plan is in compliance with the St. Mary's County Comprehensive Water and Sewer Plan (Water and Sewerage Plan category designations: W-6, S-6).
Septic: This Health Department approval certifies that the lots shown hereon are in consonance with the pertinent Health Department laws and regulations as of the approval date; however, this approval is subject to change in such laws and regulations.
5. Lots 500-4A and 500-4B shown hereon are to be served by individual wells drilled to an approved confined aquifer.
6. Existing structures are non-conforming in accordance with chapter 52.4 of the St. Mary's County Zoning Ordinance.
7. Building Restriction Lines (BRLs) are established per the St. Mary's County Zoning Ordinance and are as follows: Front = 25ft., Rear = 20ft., Side = 15ft.
8. There shall be a 10 foot Utility Easement along all lot lines.
9. There are no existing wells or septic systems within 100 feet of the proposed wells and septic systems except as shown hereon.

RCA

CRITICAL AREA NOTES:

- 1. This entire 11,8908 acre site appears to lie within Maryland's Critical Area. Any and all development activities proposed within this area are subject to Critical Area regulations and will not be permitted until all appropriate local, state, and federal agencies have conducted a thorough environmental review and have approved the development plans.
2. The 100 foot Critical Area Buffer must remain in natural vegetation and may not be disturbed except as provided under Section 7B.3 of the St. Mary's County Critical Area Ordinance, Habitat Protection.
3. No development is permitted in wetlands without approval from the appropriate local, state, and federal agencies.
4. All existing forest shown hereon shall remain undisturbed except as permitted under the provisions of the St. Mary's County Critical Area Ordinance.
5. Existing impervious surface within 100 foot Critical Area Buffer is 544 square feet for lot 500-4B, and 0 square feet for lot 500-4A.
6. Area of 15%-25% slopes is 674 sf; Area of >25% slopes is 200 sf. for lot 500-4B and 0 sq. ft. for lot 500-4A.
7. Existing forested area is 426,809 square feet (9.7982 Ac.) for lot 500-4A and 6,184 square feet (0.1420 acres) for lot 500-4B.
8. Area of existing impervious surfaces is 4,650 square feet for lot 500-4B and 0 square feet for lot 500-4A.
9. Locations of natural heritage areas, habitats of threatened or endangered species, and habitats of significant plants or wildlife are identified on this plat in accordance with Section 71.8 of the St. Mary's County Critical Area Ordinance, Habitat Protection.
A. Development activities including clearing, grading, and construction shall be minimized during May - August breeding season.
B. Unavoidable development activities or other disturbance during the May - August breeding season shall be focused on the periphery of the area (roads, utility lines, corridors and structures).
C. Continuous cover of branches and foliage formed by the crowns of adjacent trees (forest canopy) and trees and shrubs underneath the canopy (understory vegetation) should be retained in so far as possible.
D. Clearing and development activities should be clustered and creation of small clearings should be minimized.
E. Where forest must be cleared, the cleared forest should be allowed or encouraged to return its native vegetation in so much as possible.



VICINITY MAP SCALE: 1" = 2000 TAX MAP 22, GRID II, PARCEL I

- 10. The addresses for the subject properties are shown hereon as: 36240
11. Adjoining properties on this Plat are zoned RPD and used for residential purposes.
12. Soil types as shown on this plat were derived from the soil maps for St. Mary's County as distributed by the U.S. Department of Agriculture, Soil Conservation Service and are shown on Map No. 4.
13. The owner has no plans for further subdivision of this property at this time.
14. Lot 500-4A & 500-4B are to be accessed by the private 20' wide Ingress/Egress Easement as shown on this plat.
15. Areas established for resource protection on the site, in accordance with required protection levels, must remain in undisturbed open space and undeveloped.
16. CAUTION: The ingress/egress easement shown hereon does not necessarily provide access from these lots to a County or State road at this time.
17. Prior to issuance of a building permit for lot 500-4A shown hereon, stormwater management and over lot grading shall be provided in accordance with the stormwater management, grading, erosion and sediment control ordinance.
18. A. Within the area of the tract hereby created, no structure, erection, object, growth of trees, or vegetation within the boundaries of the tract herein described, nor any other objects placed within said tract, shall penetrate the AE Overlay Subdistrict surfaces of an airport or heliport.
B. The land owner expressly reserves for the use and benefit of itself and the public a right of flight for the passage of aircraft above the lands identified herein, together with the right to cause above such tract all such noise, fumes, dust, vibration and fuel particles as may be inherent in the operation of aircraft using said airspace for landing and takeoff from the Walter F. Duke Airport and other regulated public landing strips.

OWNER'S CERTIFICATE

We, Charles F. and Marjorie S. Boyer, the owners of the property shown hereon and described in the Surveyor's Certificate affixed hereto, hereby adopt this plan of subdivision upon its approval by all required agencies. There are no pending suits, or actions at law, leases, mortgages, or deeds of trusts affecting this subdivision except as noted or shown hereon. All parties in interest thereto have affixed their signatures indicating their assent to this plan.

We further establish the minimum building restriction lines as required by the Comprehensive Zoning Ordinance and dedicate the streets, walkways, easements, rights-of-way and other improvements, where applicable, to public use.

I hereby grant unto the St. Mary's County Metropolitan Commission, its successors and assigns, a right of ingress and egress over, and a perpetual easement in, the 10 foot water line and/or sewer line easement (along all lot lines), as well as others that may be shown herein, for construction, installation, maintenance, repair, inspection, and operation of public water and sanitary sewer facilities, should such facilities ever be installed.

The requirements of Section 3-10B of the Annotated Code of Maryland (Real Property Article) as far as it concerns the making of the plan and setting of the markers required therein have been complied with to the best of our knowledge, information and belief.

SURVEYOR'S CERTIFICATE

I hereby certify to the best of my knowledge, information and belief that this plan shown (subject to a title search) and conforms to the specifications; that this is a subdivision of all of the lands as conveyed unto Charles F. and Marjorie S. Boyer by deed dated October 16, 2003, from Daniel M. and Nancy Howell as recorded in the Land Records of St. Mary's County, Maryland in Liber EWA 2138 do Folio 536.

That the requirements of the Section 3-10B of the Annotated Code of Maryland (Real Property Article) as far as it concerns the making of the plan and setting of the markers required therein have been complied with to the best of my knowledge, information and belief.

Signature of William W. Tomlinson, Professional Land Surveyor, Maryland No. 10725



CRITICAL AREA NOTES:

Table with 5 columns: Lot No., Lot Area, Allowable Imperv. Area, EX. IMPERVIOUS AREA, EX. FOREST COVER. Rows include 500-4A, 500-4B, and TOTAL.

SOIL CHART:

Soil Classification chart with columns for Soil Classification, Slopes, and Hydric. Rows include SsB2, SsC2, EvB, EvC, and Kz.

RECEIVED

MAR 10 2005

CRITICAL AREA COMMISSION

OWNER

CHARLES F. & MARJORIE S. BOYER
12800 NORWOOD DRIVE
CHARLOTTE HALL, MARYLAND
20622-3621

Witness lines for Charles F. Boyer and Marjorie S. Boyer.

ST. MARY'S COUNTY HEALTH DEPARTMENT

Director, St. Mary's County Environmental Health Date

ST. MARY'S COUNTY - DEPARTMENT OF LAND USE AND GROWTH MANAGEMENT

Director Date

SHEET 1 OF 2 FOR SITE LAYOUT SEE SHEET 2 OF 2

Table with 3 columns: DATE, REVISIONS, BY.

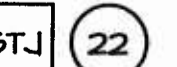


MINOR SUBDIVISION
LOTS 500-4A & 500-4B
BEING A RESUBDIVISION OF LOT 4
PART OF BASHFORD MANOR
BASHFORD MANOR

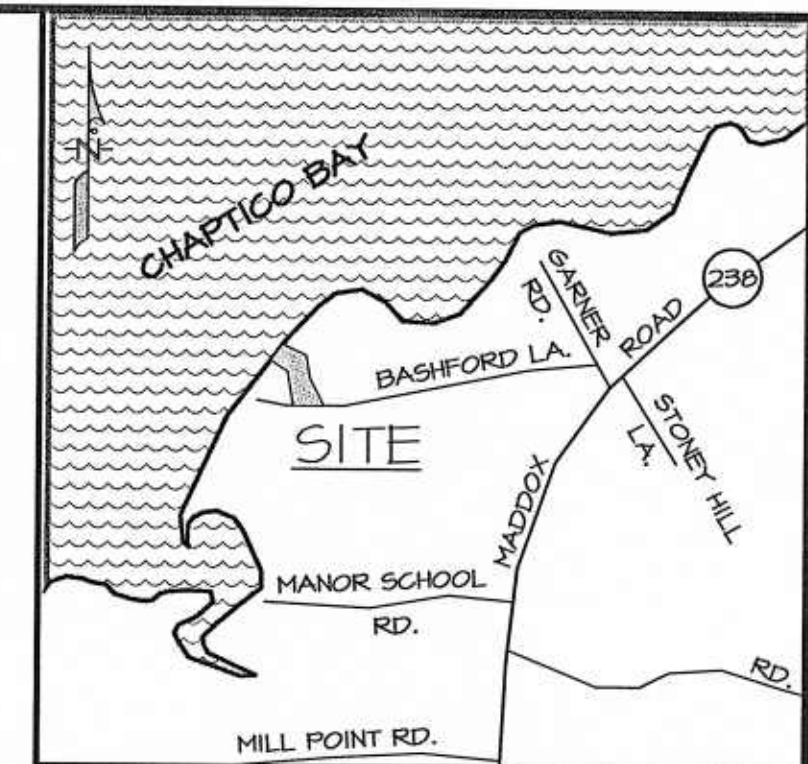
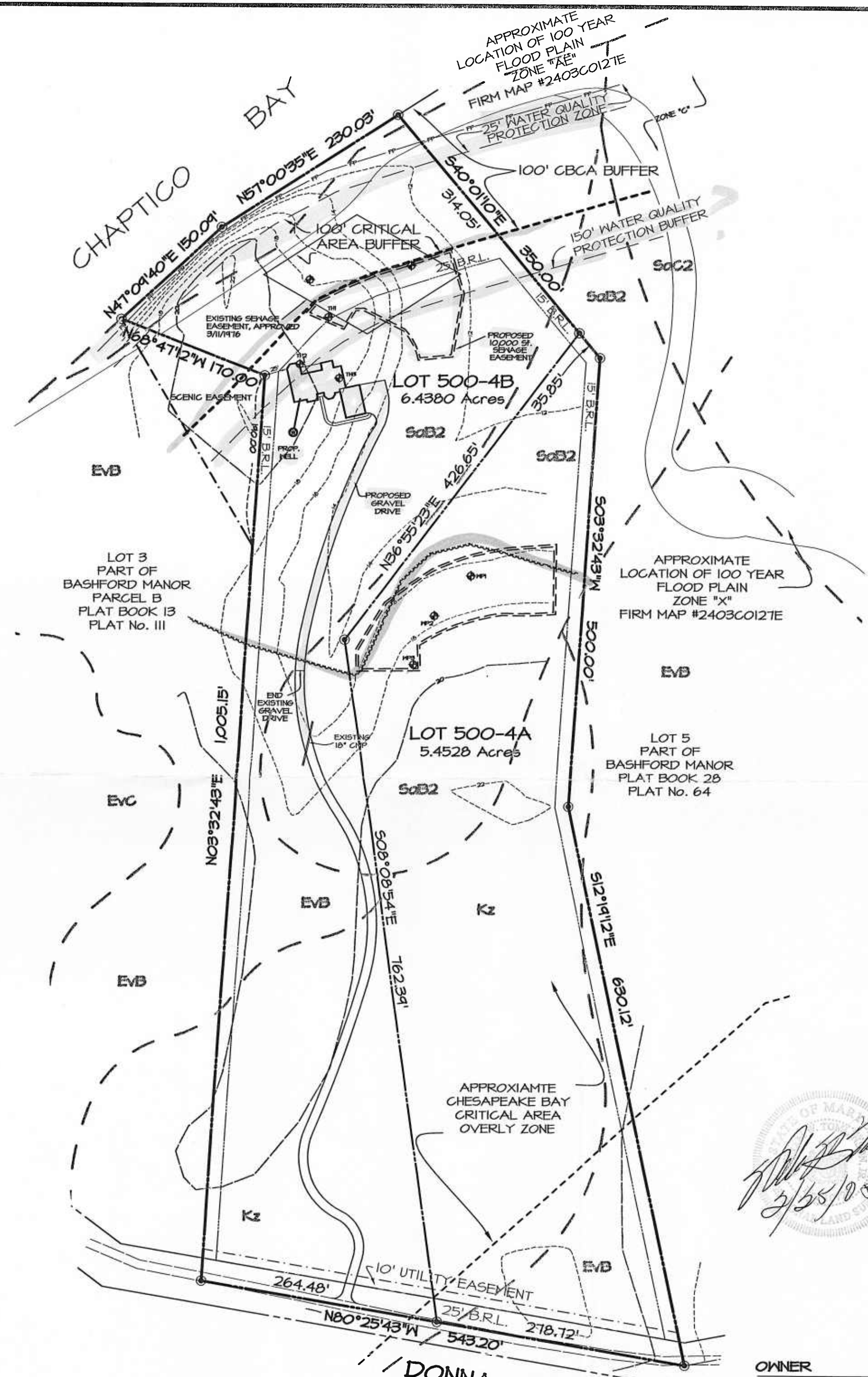
4TH ELECTION DISTRICT
ST. MARY'S COUNTY
SCALE 1" = 100' FEBRUARY, 2005



BEN DYER ASSOCIATES, INC.
ENGINEERS / SURVEYORS / PLANNERS
9375 CHESAPEAKE STREET, SUITE 227
P.O. BOX 2121, LA PLATA, MARYLAND 20646
TELEPHONE: (301) 753-1696
FACSIMILE: (301) 753-1827



J-03566
W.O. 69403
5.001-P

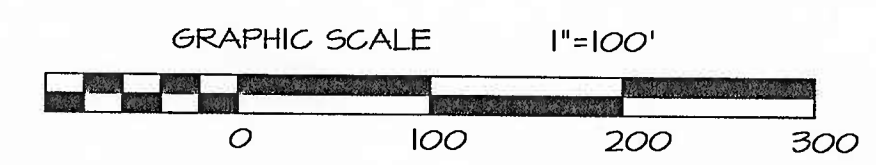


VICINITY MAP SCALE: 1" = 2000
TAX MAP 22, GRID II, PARCEL I

Existing	LEGEND:	Proposed
	Property Line	
	Treeline	
	2' Contour Line	
	10' Contour Line	
	15%-25% Slopes	
	>25% Slopes	
	Perc Test	
	Well	
	Dwelling	
	Soil Boundary	
	100 Year Flood Plain	
	WETLANDS	
	CRITICAL AREA BUFFER	
	EXPANDED CRITICAL AREA BUFFER	
	MEAN HIGH WATER	
	REFERENCE MONUMENT	

MINOR SUBDIVISION
LOTS 500-4A & 500-4B
 BEING A RESUBDIVISION OF LOT 4
 PART OF BASHFORD MANOR
BASHFORD MANOR

4TH ELECTION DISTRICT
 ST. MARY'S COUNTY
 SCALE 1" = 100' FEBRAURY, 2005



[Signature]
 2/25/05

OWNER
 CHARLES F. & MARJORIE S. BOYER
 12800 NORWOOD DRIVE
 CHARLOTTE HALL, MARYLAND
 20622-3621

BEN DYER ASSOCIATES, INC.
 ENGINEERS / SURVEYORS / PLANNERS
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 P.O. BOX 2121, LA PLATA, MARYLAND 20646
 TELEPHONE: (301) 753-1696
 FACSIMILE: (301) 753-1827

STJ 22

J-03566
 W.O. 69403
 5.001-P

ST. MARY'S COUNTY HEALTH DEPARTMENT
 Director, St. Mary's County Environmental Health Date

ST. MARY'S COUNTY - DEPARTMENT OF
 LAND USE AND GROWTH MANAGEMENT
 Director Date

DATE	REVISIONS	BY

SHEET 2 OF 2
 FOR GENERAL NOTES, DEDICATIONS
 AND SURVEYORS CERTIFICATE SEE
 SHEET 1 OF 2