

TC 90-05
SUB

Bozzelli, Andrew
L991

MSA-S-1829-5294

Comments 3/8/05 KLS

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 8, 2005

Ms. Mary Kay Verdery
Talbot County Office of Planning and Zoning
11 N. Washington Street
Courthouse
Easton, Maryland 21601

Re: L991 Bozzelli
Tax Map 30, Parcel 101

Dear Ms. Verdery:

Thank you for providing information on the above referenced lot line revision. The applicant is requesting a line revision to change the existing lot lines on Lots 11 and 9, resulting in a transfer of 4.36 acres of land from Lot 11 to Lot 9. The Critical Area portion of the parcel is designated a Resource Conservation Area (RCA) and is currently developed with a single-family dwelling.

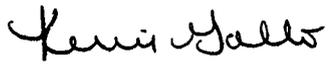
Based on the information provided, we have the following comments regarding the lot line revision.

- 1) The Critical Area boundary should be shown and labeled consistently on the site plan. As shown, the CA boundary stops at the new line of division for Lot 9.
- 2) The applicant states that revised Lot 11 is 50.63 acres, and has calculated the impervious surface area limit based on 42.58 acres. Please advise the applicant there appears to be approximately 19 acres of tidal wetlands within the property's boundaries. It does not appear that a determination of State versus private ownership of this tidal area has been made. Therefore, the impervious surface area limits may not be accurate as shown. To ensure future clarity and consistency, we recommend that a note be placed on the plat stating this stipulation.

Mary Kay Verdery
L991 Bozzelli
March 8, 2005

Thank you for the opportunity to provide comments for this lot line revision request. Please call me with any questions at (410) 260-3482.

Sincerely,

A handwritten signature in cursive script that reads "Kerrie Gallo".

Kerrie L. Gallo
Natural Resource Planner
TC

LAND OWNER STATEMENT:

WE, PATRICK A. MILLER, ANDREW J. BOZZELLI, III, AND PATTI R. BOZZELLI, OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, ASKED HEREBY TO THE POSITION OF THE PROPERTY LINES AS ESTABLISHED BY THIS PLAT, AND TO THE POINTS SET IN THE FIELD AS INDICATED HEREON.

PATRICK A. MILLER _____ DATE _____
 THE OWNERS HAVE SHOWN TO AND SUBSCRIBED BEFORE ME THIS _____ DAY OF _____ 20____

NOTARY _____
 ANDREW J. BOZZELLI, III _____ DATE _____
 THE OWNERS HAVE SHOWN TO AND SUBSCRIBED BEFORE ME THIS _____ DAY OF _____ 20____

NOTARY _____
 PATTI R. BOZZELLI _____ DATE _____
 THE OWNERS HAVE SHOWN TO AND SUBSCRIBED BEFORE ME THIS _____ DAY OF _____ 20____

NOTARY _____

SURVEYOR STATEMENT:

I, CHRISTOPHER D. WATERS HEREBY CERTIFY THAT THE FINAL PLAT SHOWN HEREON IS CORRECT, THAT IT IS A BOUNDARY LINE REVISION OF THE LANDS CONVEYED BY HERBERT E. THELSEN & RANDI A. THELSEN TO PATRICK A. MILLER BY DEED DATED JULY 31, 2008 AND RECORDED AMONG THE LAND RECORDS OF TALBOT COUNTY, MARYLAND IN LIBER 1305 FOLIO 001 AND THE LANDS CONVEYED BY JAMES M. GILLIEGE AND JOYCE E. GILLIEGE TO ANDREW J. BOZZELLI, III AND PATTI R. BOZZELLI, BY DEED DATED JANUARY 16, 2004 AND RECORDED AMONG THE LAND RECORDS OF TALBOT COUNTY, MARYLAND IN LIBER 1210 FOLIO 812 THAT ALL MONUMENTS SHOWN ARE IN PLACE.

CHRISTOPHER D. WATERS _____ DATE _____
 REGISTERED PROFESSIONAL LAND SURVEYOR No. 11052
 29510 SKIPTON-CORDOVA ROAD
 CORDOVA, MARYLAND 21625

NONTIDAL WETLANDS DISCLAIMER:

THIS DEVELOPMENT MAY CONTAIN JURISDICTIONAL NONTIDAL WETLANDS WHICH HAVE NOT BEEN OFFICIALLY DELINEATED BY THE U.S. ARMY CORPS OF ENGINEERS, THE IDENTIFICATION AND/OR DELINEATION OF JURISDICTIONAL WETLANDS AS THE APPLICANT OF THIS DEVELOPMENT PROJECT, HE UNDERSTANDS THAT THE FINAL AUTHORITY FOR ALL NONTIDAL WETLAND DELINEATIONS AND REGULATIONS FOR LANDS IN THE CRITICAL AREA RESTS WITH THE U.S. ARMY CORPS OF ENGINEERS. HE ALSO UNDERSTANDS THAT COUNTY APPROVAL OF THIS DEVELOPMENT PROJECT DOES NOT EXEMPT THIS PROJECT FROM OBTAINING PERMITS AND APPROVAL WHICH MAY BE REQUIRED BY THE U.S. ARMY CORPS OF ENGINEERS.

U.S. FISH AND WILDLIFE REVIEW:

THIS DEVELOPMENT MAY CONTAIN THREATENED OR ENDANGERED SPECIES PROTECTED UNDER THE ENDANGERED SPECIES ACT AS AMENDED, THE U.S. DEPARTMENT OF THE INTERIOR, FISH & WILDLIFE SERVICE ADMINISTERS REGULATIONS DESIGNED TO PROTECT THESE THREATENED AND ENDANGERED SPECIES AND THEIR HABITATS, AS THE APPLICANT FOR THIS DEVELOPMENT ACTIVITY, I UNDERSTAND THAT THE FINAL AUTHORITY FOR ALL DETERMINATIONS CONCERNING THE EFFECT OF THE DEVELOPMENT ON THESE SPECIES AND THEIR HABITAT RESTS WITH THE U.S. DEPARTMENT OF THE INTERIOR, FISH & WILDLIFE SERVICE. I ALSO UNDERSTAND THAT COUNTY APPROVAL OF THIS PROJECT DOES NOT EXEMPT THIS PROJECT FROM OBTAINING ALL PERMITS AND APPROVALS, WHICH MAY BE REQUIRED BY THE U.S. DEPARTMENT OF THE INTERIOR, FISH & WILDLIFE SERVICE.

CLEARING AND NRCS STATEMENT:

ANY LAND CLEARING, GRADINGS OR OTHER EARTH DISTURBANCE WITHIN THE UNINCORPORATED AREAS OF TALBOT COUNTY SHALL REQUIRE AN EROSION AND SEDIMENT CONTROL PLAN APPROVED BY THE TALBOT COUNTY CONSERVATION DISTRICT IN ACCORDANCE WITH THE TALBOT COUNTY SOIL EROSION AND SEDIMENT CONTROL ORDINANCE AND THE STATE OF MARYLAND EROSION AND SEDIMENT CONTROL LAW, COMAR 4-103 & 26.04.01.05.

CRITICAL AREA STATEMENT:

THE LAND SHOWN HEREON LIES PARTIALLY WITHIN THE CHESAPEAKE BAY CRITICAL AREA.

AGRICULTURAL STATEMENT:

BY ACCEPTANCE OF THE DEED TO THIS PROPERTY, EACH LOT OWNER OR THEIR SUCCESSORS OR ASSIGNS, HEREBY ACKNOWLEDGE THAT THEY ARE AWARE THAT THE PROPERTY BORDERS ON PROPERTY UNDER AGRICULTURAL USE AND THAT THE NORMAL FARMING OPERATIONS ON SUCH AGRICULTURAL LAND MAY CAUSE SOME INTERFERENCE WITH THE USE AND ENJOYMENT OF THE PROPERTY, SUCH AS ODOR, DUST, NOISE, DRIFT OF HERBICIDES OR CHEMICALS AND IRRIGATION RUST. THEY ARE FURTHER AWARE THAT THE AGRICULTURAL USE AT TIMES INCLUDES THE NEED FOR AERIAL SPRAYING AND AROUND THE CLOCK FIELD OPERATIONS. THE LOT OWNER ACCEPTS THE LIMITATIONS ON USE AND ENJOYMENT AFFECTING THE PROPERTY.

COUNTY STATEMENT:

THIS PLAT REPRESENTS A REVISION OF LOT LINES ON THE LAND OF PATRICK A. MILLER AND ANDREW J. BOZZELLI, III AND PATTI R. BOZZELLI PREVIOUSLY SHOWN ON A PLAT RECORDED AMONG THE PLAT RECORDS OF TALBOT COUNTY, MARYLAND IN LIBER 3 FOLIO 21E AND LIBER 3 FOLIO 81F AND DOES NOT CONSTITUTE ANY NEW BUILDABLE LOTS UNDER THE TALBOT COUNTY ZONING ORDINANCE.

TALBOT COUNTY HEALTH OFFICER _____ DATE _____

FLOOD ZONE INFORMATION:

THE LAND SHOWN HEREON IS IN ZONE A6, B, 4 C, LOCATED WITHIN THE COASTAL FLOOD PLAIN AS SHOWN ON THE FEDERAL INSURANCE RATE MAPS FOR TALBOT COUNTY, MARYLAND THEREFORE, MANDATORY FLOOD INSURANCE IS NOT REQUIRED IN ACCORDANCE WITH THE PROVISIONS OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, WASHINGTON, D.C. SEE FEMA MAP NO. 240066 0029 A.

FLOOD PLAIN LEGEND:

- A - 100 YEAR FLOOD ZONE
- B - 500 YEAR FLOOD ZONE
- C - AREA OF MINIMAL FLOODINGS

THE FLOOD ZONE "A" PORTION OF THE PROPERTY WOULD BE INUNDATED BY A FLOOD HAVING A ONE-PERCENT CHANCE OF OCCURRENCE IN ANY GIVEN YEAR, THEREFORE ANY NEW CONSTRUCTION OR SUBSTANTIAL IMPROVEMENT ON THE PROPERTY IS SUBJECT TO FEDERAL, STATE, AND LOCAL REGULATIONS.

WATER AND SEWER:

THIS LOT LINE REVISION PLAT HAS BEEN APPROVED BY THE TALBOT COUNTY HEALTH DEPARTMENT.

TALBOT COUNTY HEALTH OFFICER _____ DATE _____

DEVELOPMENT RIGHTS SUMMARY

- ALLOWED - (1) PARCEL 245
- ALLOWED - (1) PARCEL 34
- UTILIZED - (1) PARCEL 245
- UTILIZED - (1) PARCEL 34
- REMAINING - (0) REVISED PARCEL 245
- REMAINING - (0) REVISED PARCEL 34

STORM WATER MANAGEMENT:

THE LAND SHOWN HEREON SHALL BE DEVELOPED IN ACCORDANCE WITH THE "2000 MARYLAND STORM WATER DESIGN MANUAL," AND TALBOT COUNTY STORMWATER MANAGEMENT CODE.



C & R Professional Land Surveyors LLC
 BOUNDARY - SUBDIVISIONS - CONSTRUCTION
 EASTON, MARYLAND 21601
 410-819-0333 - FAX 410-476-9957

REVISIONS

REVISION OF BOUNDARY LINES BETWEEN THE LANDS OF ANDREW J. BOZZELLI, III, PATTI R. BOZZELLI & PATRICK A. MILLER

FEB 16 2005

CHESAPEAKE BAY CRITICAL AREA COMMISSION

DRAWN	CHECKED
KWA	GDW

DATE
JAN. 2005

SCALE
1" = 100'

JOB NO.
05052

TAX MAP 90 GRID 21 PARCEL 101 & TAX MAP 90 GRID 4 PARCEL 35 IN THE SECOND ELECTION DISTRICT, TALBOT COUNTY, MARYLAND