

9/7

MSA. S. 1829-5704

KLS Comments  
9/7/06

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/](http://www.dnr.state.md.us/criticalarea/)

September 7, 2006

Mr. Anthony DiGiacomo  
Cecil County Department of Planning and Zoning  
129 East Main Street  
Elkton, MD 21921

RE: Fox Valley Farm – Resubdivision Concept Plat  
TM 43, Parcel 438, Lot 4 and Parcel 421, Lot 12

Dear Mr. DiGiacomo:

Thank you for providing information regarding the above referenced resubdivision concept plat. The applicant is proposing to create a new lot, Lot 7, by subdividing land from Lot 3 (7.93 acres) and adding on land from Lot 12A (17.418 acres) for a total lot area of 25.35 acres. Nearly all of Lot 12 and much of Lot 7 is within the Critical Area, and designated as Resource Conservation Area (RCA).

Based on the information provided, I have the following comments regarding the proposal:

- The ability to develop within the RCA is limited to one dwelling unit per twenty acres, including any associated facilities. Given that Parcels 421 and 438 were subdivided in 1997 and 1999, the number of allowable dwelling units is determined by the original Critical Area acreage within each parcel. It is unclear from my review of the previously approved subdivisions, exactly how much of the subject parcels were in the Critical Area and therefore, whether the current proposal is consistent.

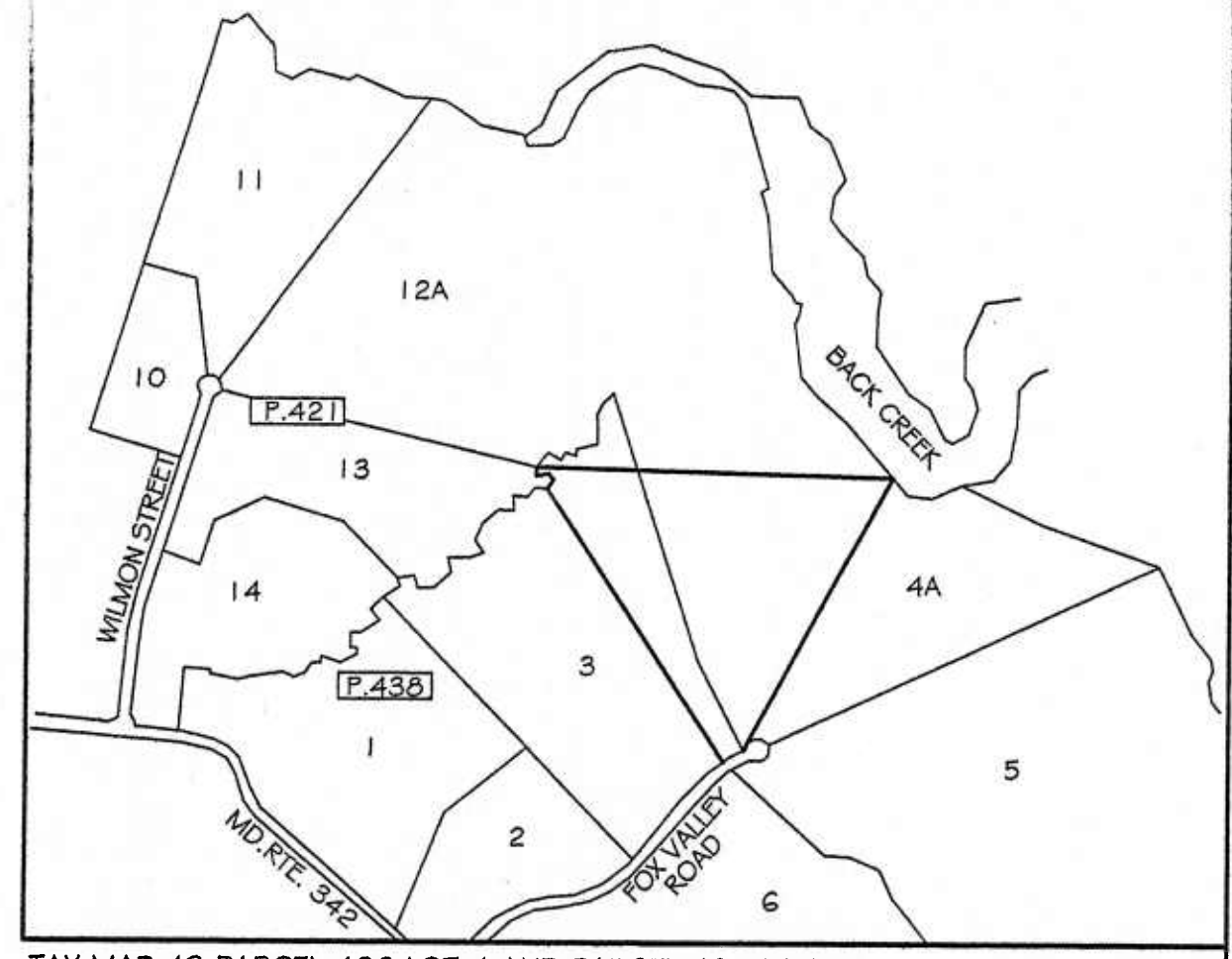
On Parcel 421, Lots 11 and 12 were located within the Critical Area. Lot 12 had 36.8 acres within the Critical Area and one development right. On Parcel 438, Lot 4 was 77.67 acres, and it is unknown how many acres were in the Critical Area. The plat note states there are 76.9 acres in the Critical Area for three development rights. Please clarify if these three lots include Lot 4A, Lot 7, and Lot 12A on the note, and if this is the case, please add a note stating no further development rights may be created by any further subdivision.

Thank you for the opportunity to provide comments. If you have any questions, please contact me at 410-260-3475.

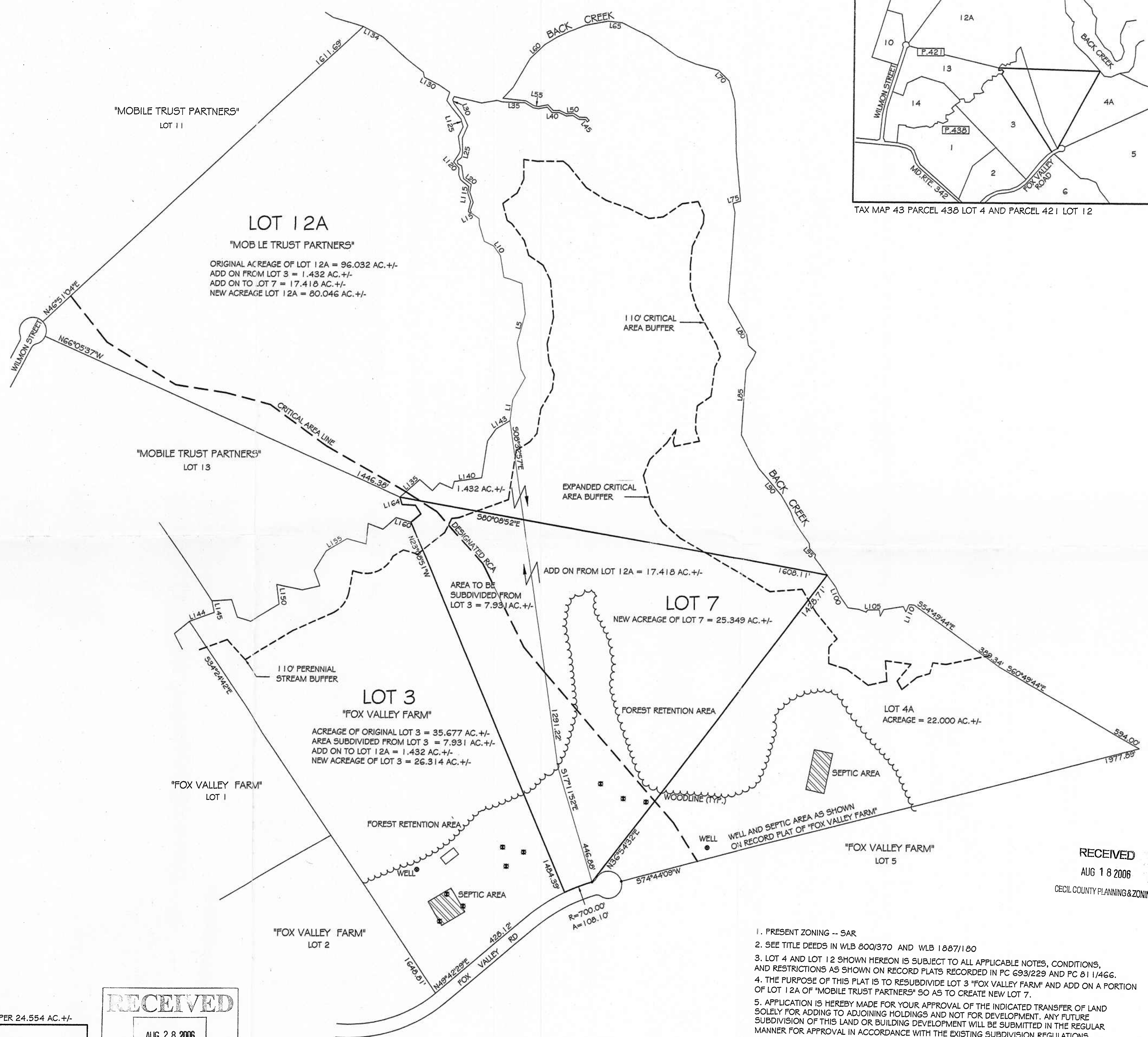
Sincerely,

*Kate Schmidt*

Kate Schmidt  
Natural Resource Planner  
CE 553-06

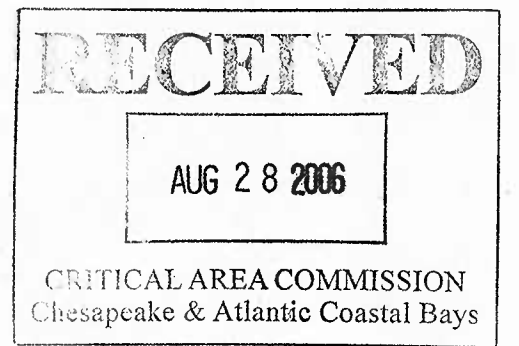


TAX MAP 43 PARCEL 438 LOT 4 AND PARCEL 421 LOT 12



LINE	BEARING	LENGTH	LINE	BEARING	LENGTH	LINE	BEARING	LENGTH	LINE	BEARING	LENGTH
L1	N06°49'52"E	77.86	L46	N49°14'54"E	8.00	L91	S31°42'49"E	67.91	L136	N49°36'53"W	62.43
L2	N29°05'31"E	93.48	L47	N40°45'06"W	14.04	L92	S22°30'08"E	40.54	L137	S42°29'40"W	39.46
L3	N27°40'32"W	34.87	L48	N88°41'59"W	26.59	L93	S33°29'27"E	100.50	L138	N66°19'53"W	51.56
L4	N08°39'03"W	99.96	L49	N57°27'23"W	26.06	L94	S02°19'09"E	16.41	L139	S13°34'20"W	27.15
L5	N14°45'54"E	112.10	L50	S85°51'12"W	25.02	L95	S44°03'11"E	34.57	L140	S81°52'53"W	101.86
L6	N06°50'58"W	112.43	L51	N65°38'04"W	29.21	L96	S15°38'42"W	11.08	L141	S08°12'38"W	137.46
L7	N69°42'01"W	48.28	L52	S89°25'04"W	23.32	L97	S37°36'32"E	37.57	L142	S34°39'36"W	55.20
L8	N74°43'03"W	22.15	L53	N43°40'30"W	28.53	L98	S35°27'30"E	48.51	L143	S58°56'16"W	58.79
L9	N09°34'54"W	82.63	L54	S78°38'26"W	34.83	L99	S36°20'53"E	46.68	L144	N69°44'48"E	97.41
L10	N36°02'40"W	43.39	L55	N80°07'31"W	17.35	L100	S23°18'13"E	30.15	L145	N11°42'41"W	42.91
L11	N63°51'01"W	38.92	L56	N59°30'01"W	34.35	L101	S35°13'22"E	58.67	L146	N85°42'59"E	73.49
L12	N17°27'47"W	64.12	L57	N83°52'19"W	86.20	L102	S82°56'04"E	40.15	L147	S18°46'13"E	67.98
L13	N01°34'22"W	22.59	L58	N42°08'45"E	56.53	L103	S69°25'15"E	29.47	L148	S73°23'54"E	52.57
L14	N55°25'59"W	38.50	L59	N29°48'27"E	125.49	L104	N33°41'03"E	9.93	L149	N59°00'26"E	124.96
L15	S62°17'21"W	6.00	L60	N45°52'37"E	74.66	L105	N88°21'39"E	43.01	L150	N07°16'02"W	72.46
L16	N21°07'02"W	8.71	L61	N57°45'42"E	51.17	L106	S08°12'09"E	23.64	L151	S78°35'58"E	96.88
L17	N20°01'00"E	30.48	L62	N64°53'29"E	46.82	L107	N26°57'27"E	27.45	L152	N76°51'28"E	65.91
L18	N19°50'16"W	39.89	L63	N68°14'06"E	66.07	L108	N80°25'13"E	73.27	L153	N20°41'47"W	60.60
L19	N11°04'57"E	28.63	L64	N80°07'08"E	85.90	L109	S26°56'09"E	21.19	L154	N31°01'39"E	84.66
L20	N52°13'27"W	36.16	L65	S84°43'54"E	51.91	L110	N22°38'20"E	28.71	L155	N58°21'12"E	89.73
L21	N09°24'33"W	47.91	L66	S64°18'38"E	110.97	L111	S86°44'09"E	19.01	L156	S74°24'27"E	73.46
L22	N61°53'54"W	16.00	L67	S54°36'51"E	130.57	L112	S34°18'17"E	8.71	L157	N04°28'42"E	79.32
L23	N09°12'34"W	11.39	L68	S68°10'02"E	72.26	L113	S12°41'05"W	36.00	L158	S69°19'19"E	59.74
L24	N51°02'32"E	19.91	L69	S74°25'47"E	87.85	L114	S19°39'57"E	34.04	L159	N47°32'03"E	65.28
L25	N13°10'14"E	16.79	L70	S45°01'35"E	54.90	L115	S08°23'52"W	23.71	L160	S73°46'48"E	57.52
L26	N01°56'05"W	54.92	L71	S15°55'33"E	78.11	L116	S49°37'48"E	39.22	L161	N49°47'43"E	47.12
L27	N23°25'11"E	49.30	L72	S03°13'04"E	99.46	L117	S21°42'16"E	20.50	L162	N32°11'59"W	38.09
L28	N22°59'31"W	36.46	L73	S01°04'02"E	84.57	L118	S02°42'01"W	24.57	L163	N87°15'02"W	49.77
L29	N37°24'06"W	61.37	L74	S05°37'43"E	186.72	L119	S02°42'01"W	24.57	L164	N17°08'35"W	28.70
L30	N19°44'02"W	15.00	L75	S72°35'16"W	29.12	L120	S42°20'59"E	29.57			
L31	N28°53'49"E	12.31	L76	S18°04'48"E	33.64	L121	S33°14'20"W	36.35			
L32	S77°18'56"E	103.74	L77	S03°24'08"W	60.03	L122	S15°58'52"W	14.58			
L33	N80°01'45"E	58.06	L78	S03°35'46"W	274.44	L123	S08°27'44"E	50.16			
L34	S73°48'25"E	21.48	L79	S29°47'53"E	110.62	L124	S26°10'10"W	39.28			
L35	S88°39'57"E	82.12	L80	S32°31'16"E	28.70	L125	S16°10'32"E	30.23			
L36	S59°30'01"E	35.80	L81	S09°15'05"E	39.33	L126	S38°58'20"E	51.42			
L37	S80°07'31"E	20.30	L82	S48°19'08"E	37.50	L127	S36°16'59"E	34.73			
L38	N78°38'26"E	31.93	L83	S21°38'57"W	21.38	L128	S18°33'36"W	42.64			
L39	S43°40'30"E	27.60	L84	S30°47'12"W	54.98	L129	S55°33'34"E	46.76			
L40	N89°25'04"E	25.03	L85	S03°48'26"W	172.51	L130	S62°37'36"E	62.88			
L41	S65°38'04"E	29.47	L86	S02°57'29"W	66.49	L131	S11°33'08"E	19.22			
L42	N85°51'12"E	24.40	L87	S27°49'30"E	75.34	L132	S51°32'39"E	78.44			
L43	S57°27'23"E	25.65	L88	S29°46'54"E	63.72	L133	S47°52'15"E	122.80			
L44	S88°41'59"E	25.27	L89	S40°29'26"E	52.63	L134	S62°56'27"E	80.41			
L45	S40°45'06"E	10.48	L90	S40°07'23"E	78.76	L135	S47°43'30"W	97.69			

TOTAL ACREAGE IN CRITICAL AREA -- 76.990 AC. +/-  
TOTAL NUMBER OF LOTS IN CRITICAL AREA -- 3  
DENSITY IN CRITICAL AREA -- 1 LOT PER 25.663 AC. +/-  
PROPOSED DENSITY AS SHOWN ON THIS PLAT -- 1 LOT PER 24.554 AC. +/-



OWNER / DEVELOPER  
JEFFERY C. FOSTER &  
KIMBERLY A. FOSTER  
54 WILMON STREET  
CHESAPEAKE CITY, MD 21915

RESUBDIVISION RESOLUTION  
WHEREAS PURSUANT TO SECTION 2.2 "RESUBDIVISION OF LANDS" OF THE SUBDIVISION REGULATIONS OF CECIL COUNTY, MARYLAND, AND WHEREAS AN APPROVED FINAL MAJOR SUBDIVISION PLAT OF MOBILE TRUST PARTNERS, LP IS RECORDED AMONG THE PLAT RECORDS OF CECIL COUNTY IN PC 693/229 AND THE FINAL MAJOR SUBDIVISION PLAT OF FOX VALLEY FARM WHICH IS RECORDED AMONG THE PLAT RECORDS OF CECIL COUNTY IN PC 811/466, AND THE RESUBDIVISION PLAT OF JEFFERY C. FOSTER AND KIMBERLY A. FOSTER NOW THEREFORE THIS RESUBDIVISION BY JEFFERY C. FOSTER AND KIMBERLY A. FOSTER IS HEREBY SUBMITTED TO RESUBDIVIDE A PORTION OF THE LANDS SHOWN ON THE AFORESAID PLATS.



PREPARED BY  
WILL WHITEMAN  
LAND SURVEYING, INC.  
128 EAST MAIN STREET  
ELKTON, MARYLAND 21921  
(410) 398-4147

CONCEPT PLAT  
RESUBDIVISION PLAT OF  
LOT 3 AND LOT 12A  
FOX VALLEY FARM  
&  
MOBILE TRUST PARTNERS  
SECOND ELECTION DISTRICT  
CECIL COUNTY MARYLAND  
FILE 2270 SCALE 1"=200' 8/17/06

RECEIVED  
AUG 18 2006  
CECIL COUNTY PLANNING & ZONING

1. PRESENT ZONING -- SAR
2. SEE TITLE DEEDS IN WLB 800/370 AND WLB 1887/180
3. LOT 4 AND LOT 12 SHOWN HEREON IS SUBJECT TO ALL APPLICABLE NOTES, CONDITIONS, AND RESTRICTIONS AS SHOWN ON RECORD PLATS RECORDED IN PC 693/229 AND PC 811/466.
4. THE PURPOSE OF THIS PLAT IS TO RESUBDIVIDE LOT 3 "FOX VALLEY FARM" AND ADD ON A PORTION OF LOT 12A OF "MOBILE TRUST PARTNERS" SO AS TO CREATE NEW LOT 7.
5. APPLICATION IS HEREBY MADE FOR YOUR APPROVAL OF THE INDICATED TRANSFER OF LAND SOLELY FOR ADDING TO ADJOINING HOLDINGS AND NOT FOR DEVELOPMENT. ANY FUTURE SUBDIVISION OF THIS LAND OR BUILDING DEVELOPMENT WILL BE SUBMITTED IN THE REGULAR MANNER FOR APPROVAL IN ACCORDANCE WITH THE EXISTING SUBDIVISION REGULATIONS.
6. BECAUSE OF THE DYNAMIC NATURE OF SHORE LINES AND WATERWAYS, ALL DISTANCES SHOWN ALONG SAID SHORE LINES AND WATERWAYS OR DISTANCES SHOWN TO SAID SHORE LINES OR WATERWAYS ARE MORE OR LESS.

APPROVED: CECIL COUNTY DEPARTMENT OF PLANNING AND ZONING  
DIRECTOR DATE  
APPROVED: CECIL COUNTY DEPARTMENT OF PUBLIC WORKS  
DIRECTOR OR SENIOR ENGINEER DATE  
APPROVED: CECIL COUNTY DEPARTMENT OF HEALTH  
DIRECTOR DATE

OWNER'S CERTIFICATE  
CERTIFICATION IS HEREBY MADE THAT, TO THE BEST OF OUR KNOWLEDGE, THE REQUIREMENTS OF SECTION 3-108, REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, CONCERNING THE PREPARATION OF THIS PLAT AND THE SETTING OF MARKERS HAVE BEEN COMPLIED WITH. WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN HEREON AND THAT THIS SUBDIVISION PLAN WAS MADE AT OUR DIRECTION.  
JEFFERY C. FOSTER KIMBERLY A. FOSTER DATE  
SURVEYOR'S CERTIFICATE  
TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS PLAT HAS BEEN PREPARED IN COMPLIANCE WITH SECTION 3-108, REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND AND SUBSEQUENT AMENDMENTS.  
WILLARD M. WHITEMAN NO. 287 DATE