

CR 465-06

CCB-CDG, LLC

SUB

MSA. S. 1829- 5730

MS 2/27/06

MS 1/28/07

MS 1/23/08

MS 3/13/08

FOREST INTERIOR DWELLING SPECIES FOREST PLANTING,
PROTECTION AND PRESERVATION AGREEMENT

BETWEEN

CCB-CDG, LLC

AND

THE NATURE CONSERVANCY

AND

COUNTY COMMISSIONERS OF CAROLINE COUNTY

THIS FOREST INTERIOR DWELLING SPECIES ("FIDS") FOREST PLANTING, PROTECTION AND PRESERVATION AGREEMENT ("Agreement"), entered into this 26 day of October, 2008, is by and among CCB-CDG, LLC, a Maryland limited liability company ("CCB-CDG"), THE NATURE CONSERVANCY, a Maryland non-profit corporation (the "Conservancy"), and the COUNTY COMMISSIONERS OF CAROLINE COUNTY, a body corporate and politic and a political subdivision of the State of Maryland ("Caroline County").

WHEREAS, Caroline County is responsible for reviewing and approving private development projects located on privately-owned lands within the Chesapeake and Atlantic Coastal Bays Critical Area ("Critical Area") and for ensuring that development activities undertaken by a landowner on lands within the Critical Area are consistent with the Caroline County Critical Area Program, the Critical Area Act, the Maryland Code, Natural Resources Article, § 8-1801 *et seq.*, and criteria, rules and regulations contained the Code of Maryland Regulations ("COMAR"), Section 27.01.01 *et seq.* and

WHEREAS, the Conservancy owns property in northern Caroline County near Henderson, which is known as its Jackson Lane Preserve (the "Property") and identified as Parcels 43, 44, 49, 50, 69, 70, 148, 166, 167, and 366 on Tax Map 8. The Property consists of approximately 638 acres as depicted by Exhibit A, which is incorporated herein; and

WHEREAS, the Conservancy holds and manages the Property for the purposes of enhancing and preserving the significant conservation values and the natural, forestry, environmental, scenic, historic, cultural, rural, woodland and wetland characteristics of the Property, and is currently creating, restoring, enhancing, and maintaining forest and woodland resources on the Property; and

WHEREAS, the Property is comprised of approximately 300 acres of forested natural area that protect almost a dozen intact "Delmarva bays", seasonally-flooded depressional wetlands also known as coastal plain ponds. An additional approximately 330 acres of farm fields have been undergoing active restoration since 2003, to forested and open-canopy seasonal wetlands, and forested uplands; and

WHEREAS, CCB-CDG has applied to Caroline County for permits to subdivide and clear a residential lot on a forested site within Caroline County requiring approval by the County's Department of Planning, Codes, and Engineering; and

WHEREAS, CCB-CDG's proposed subdivision and construction activities will include clearing of identified FIDS' habitat and will require mitigation for loss of that FIDS habitat in accordance with the County's and the State of Maryland's Critical Area Programs; and

WHEREAS, Caroline County and CCB-CDG now wish to enter into a cooperative agreement with the Conservancy to provide for the payment by CCB-CDG of fee-in-lieu of planting to the County for use on the Property owned by the Conservancy, for the purpose of mitigation for impacts to FIDS habitat; it being the intention of the parties that the payment of monies shall be used to create, restore, enhance, maintain, and permanently conserve forest resources identified as future FIDS habitat at the Property so that CCB-CDG's mitigation requirement is satisfied, the permit review process is expedited, and the overall goals of the Critical Area Act are met.

NOW THEREFORE, in consideration of the mutual promises, covenants and undertakings stated herein, the receipt and sufficiency of all of which are hereby acknowledged, Caroline County, CCB-CDG, and the Conservancy agree as follows:

1. The Purpose of this Agreement is to implement a fee-in-lieu of planting arrangement for impacts to FIDS habitat associated with development activity in the Critical Area associated with CCB-CDG's proposed subdivision and construction activities. The monies paid pursuant hereto are to be used to meet the following general objectives, subject to the specific terms and conditions that follow:

(a) To create, enhance, or restore the natural forestry, environmental, scenic, historic, cultural, rural, woodland, and wetland characteristics of the Property and particularly those related to the creation and conservation of FIDS habitat;

(b) To conserve and preserve the significant conservation values, including those relating to a broader landscape or regional context, and the natural, forestry, environmental, scenic, historic, cultural, rural, woodland and wetland characteristics of the Property, and particularly those relating to the conservation of FIDS habitat;

(c) To maintain viable resource-based land use and proper management of wooded areas of the Property, and

(d) To prevent the use or development of the Property for any purpose or in any manner that would conflict with the maintenance of the Property in its open-space condition.

2. Within five (5) days of execution of this Agreement by all parties, CCB-CDG shall to pay to the County the sum of Two Thousand Two Hundred Dollars (\$2,200.00) in U.S. dollars (the "Fee").

3. The County agrees to accept the Fee for the purposes of this Agreement. Within five (5) days of acceptance of the Fee, the County shall pay the full amount of the Fee to the Conservancy for the purposes set forth in this Agreement.

4. The Conservancy agrees to accept the Fee from the County for the purposes set forth in this Agreement and on the terms and conditions set forth herein. The Fee shall be used by the Conservancy at the Property at the "FIDS Direct Loss Mitigation Area One" (as further described below and as depicted by Exhibit B attached hereto and incorporated herein by reference): The Conservancy will plant or otherwise establish 0.55 acres of new FIDS habitat at the Property as generally depicted by Exhibit B and Exhibit C and attached hereto and incorporated herein by reference. Exhibit D is a table describing the status of the overall FIDS Direct Loss Mitigation plantings at the Property for tracking purposes only.

FIDS Direct Loss Mitigation Area One

FIDS Direct Loss Mitigation Area One is located directly southwest of the intersection of Bee Tree Road and Jackson Lane. The following Maryland State Plane coordinates (NAD 83) describe the 0.55-acre roughly rectangular polygon:

Point Number	Northing	Easting	Description
3	508299.4327	1669300.0655	FLG
4	508159.8228	1669293.8091	FLG
5	508136.9638	1669121.1696	FLG
6	508276.5737	1669127.4260	FLG

5. The parties agree that the Conservancy undertakes full responsibility for utilizing the Fee for the creation, restoration, enhancement, maintenance, and permanent conservation of FIDS habitat at the Property at FIDS Direct Loss Mitigation Area One.

6. The Conservancy agrees that it shall use the FIDS Direct Loss Mitigation Area One for mitigation purposes only, and that its use shall be consistent with the objectives, terms, and conditions described herein.

7. No construction or alteration of residential, commercial, industrial, or other accessory structures of any kind may be placed or erected in the FIDS Direct Loss Mitigation Area One or in the surrounding forested areas, nor shall any use in connection therewith be made of the area other than those provided for in this agreement or as mutually agreed to by all parties and the Critical Area Commission in writing.

8. Agricultural activities are prohibited in the FIDS Direct Loss Mitigation Area One.

9. Harvesting of timber is prohibited in the FIDS Direct Loss Mitigation Area One unless necessary for pest, disease, or invasive species control and performed in accordance with a Forest Management Plan written by a Maryland Licensed Forester and approved by the Critical Area Commission and the Department of Natural Resources' Forest Service.

10. The Conservancy may permit recreational activities and scientific research activities in the FIDS Direct Loss Mitigation Area One provided that such activities do not alter the character of the forest and do not cause undue disturbance. Trails or paths through the area for non-motorized recreational use, with the exception that motorized wheelchairs and golf carts may be used to allow for handicapped/disabled accessibility, may be constructed by the Conservancy. However, plans for such trails or paths shall be submitted to the County and the Critical Area Commission, so that a determination can be made that the trail or path will not have an undue detrimental impact upon the conservation goals of this Agreement and are designed, constructed, and maintained so as to minimize any adverse impacts.

11. The Conservancy agrees to make available, upon request by the County or the Critical Area Commission, access to the FIDS Direct Loss Mitigation Area One for inspection at reasonable times to ensure that the provisions of this Agreement are being properly implemented.

12. The Conservancy represents, and all parties understand, that the Conservancy intends to maintain its fee simple interest in the Property. However, should such a transfer or sale be contemplated, the Conservancy shall ensure that the Property is protected through conservation easements sufficient to maintain the viability of the FIDS Direct Loss Mitigation Area One as part of a larger forested tract meeting the Critical Area Commission's definition of viable FIDS habitat. If the Property is not protected through conservation easements, the Conservancy agrees to coordinate with the County and the Critical Area Commission to provide equivalent mitigation acreage to FIDS Direct Loss Mitigation Area One, on another property within the same watershed.

13. The Agreement may be amended only by the written agreement of all parties, subject to review and approval by the Critical Area Commission. Notwithstanding anything to the contrary herein, after CCB-CDG has performed in full by paying the Fee to the County, no amendment of this Agreement, failure or refusal to act by the County and/or Conservancy, or any default hereunder or other circumstance shall limit, impair or invalidate the mitigation deemed provided by CCB-CDG under this Agreement. In the event the Critical Area Commission or any other body or entity with jurisdiction determines that CCB-CDG's full and complete performance under this Agreement does not constitute complete and satisfactory mitigation for the 0.55 acres of FIDS mitigation required for CCB-CDG's subdivision, the Fee shall be immediately repaid to CCB-CDG.

14. The terms, conditions, and restrictions contained in this Agreement shall be binding upon the Conservancy, its successors, legal representatives, and assigns, forever, and they shall run with the land, in perpetuity, subject however to the right of the County or the Conservancy, with the approval of the Critical Area Commission, to jointly agree to modification or termination. Such action may only be accomplished upon prior written notice to and approval of the Critical Area Commission and the County.

15. Notice required under this Agreement shall be sufficient if sent by U.S. mail to the representative of each party at the address identified below:

If to CCB-CDG:

Brent Cohee, President
CCB-CDG, LLC
P.O. Box 236
Chester, MD 21619

If to the Conservancy:

Nathaniel E. Williams
Vice President and State Director
The Nature Conservancy
5410 Grosvenor Lane, Suite 100
Bethesda, MD 20814

If to Caroline County:

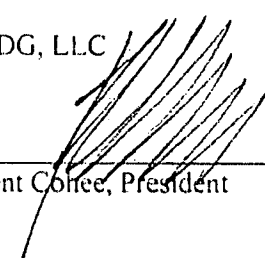
County Commissioners of Caroline County
Attention: County Administrator
Courthouse
109 Market Street, Room 123
Denton, Maryland 21629

16. Each party represents that the person or persons signing below on behalf of that party are authorized to do so.

WITNESS/ATTEST:

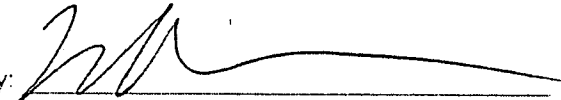
Ann Edwards

CCB-CDG, LLC

By: 
Brent Cohee, President

Deborah Landon

The Nature Conservancy

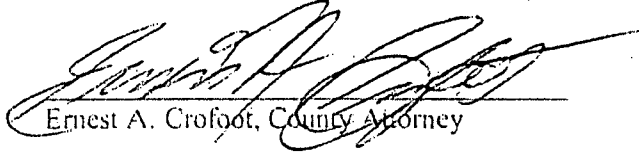
By: 
Nathaniel E. Williams, Vice President and
State Director

Sara B. Visintainer
Sara Visintainer, Executive Assistant

County Commissioners of Caroline County

By: 
John W. Cole, President

Approved as to legal form and sufficiency for Caroline County:


Ernest A. Crofoot, County Attorney

Approved as to form and mitigation sufficiency this ____ day of _____, 2008.

Critical Area Commission for the Chesapeake and Atlantic Coastal Bays
By: _____

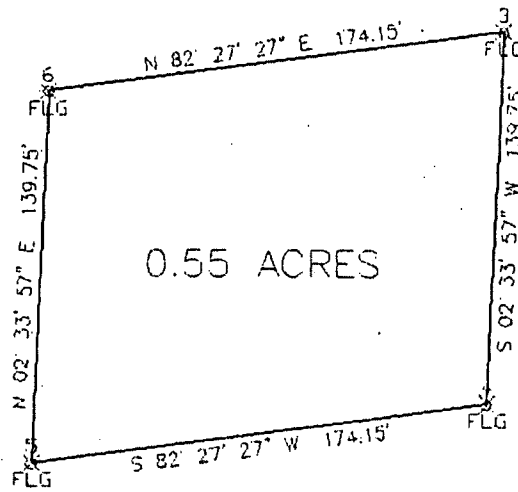
EXHIBIT D

Overall FIDS Direct Loss Mitigation Planting Tracking Table
Jackson Lane Preserve (the "Property")

Direct Loss Mitigation Area	Date Agreement Executed	Acreage	Available Acreage Remaining
			29.75
One	October 15, 2008	00.55	29.20

EXHIBIT C

FIDS Direct Loss Mitigation Area One
Maryland State Plane Coordinates (NAD 83)



10/16/2008

File> C:\RKS-jobs\dwg-2006\Cohee\Mitigation.crd

PointNo.	Northing	Easting	Description
3	508299.4327	1669300.0655	FLG
4	508159.8228	1669293.8091	FLG
5	508136.9638	1669121.1696	FLG
6	508276.5737	1669127.4260	FLG

EXHIBIT B

**FIDS Direct Loss Mitigation Area One -
Proposed 0.55 Acres of Mitigation For CCB-CDG, LLC**

FIDS Direct Loss Mitigation Area One is located directly southwest of the intersection of Bee Tree Road and Jackson Lane.

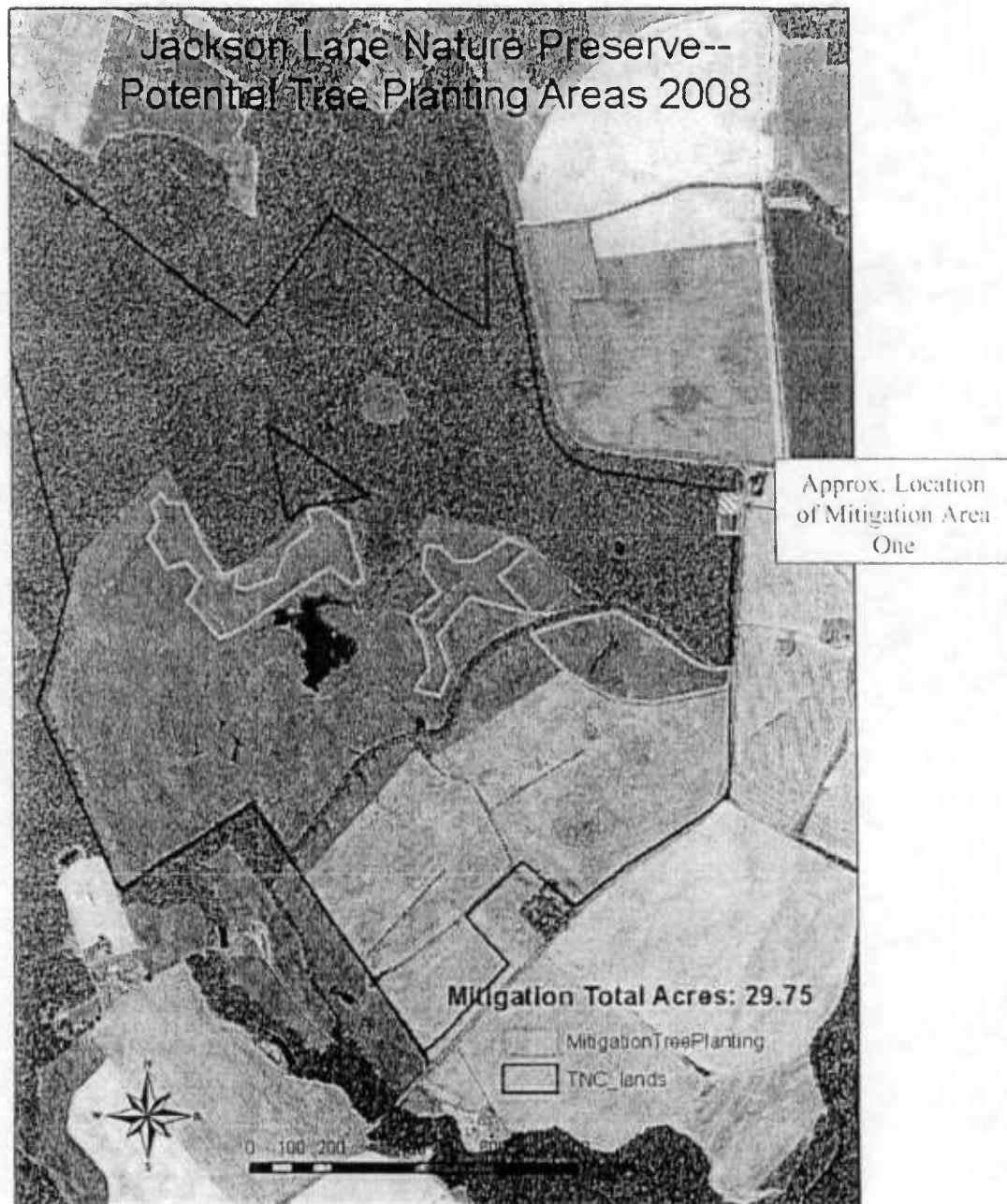
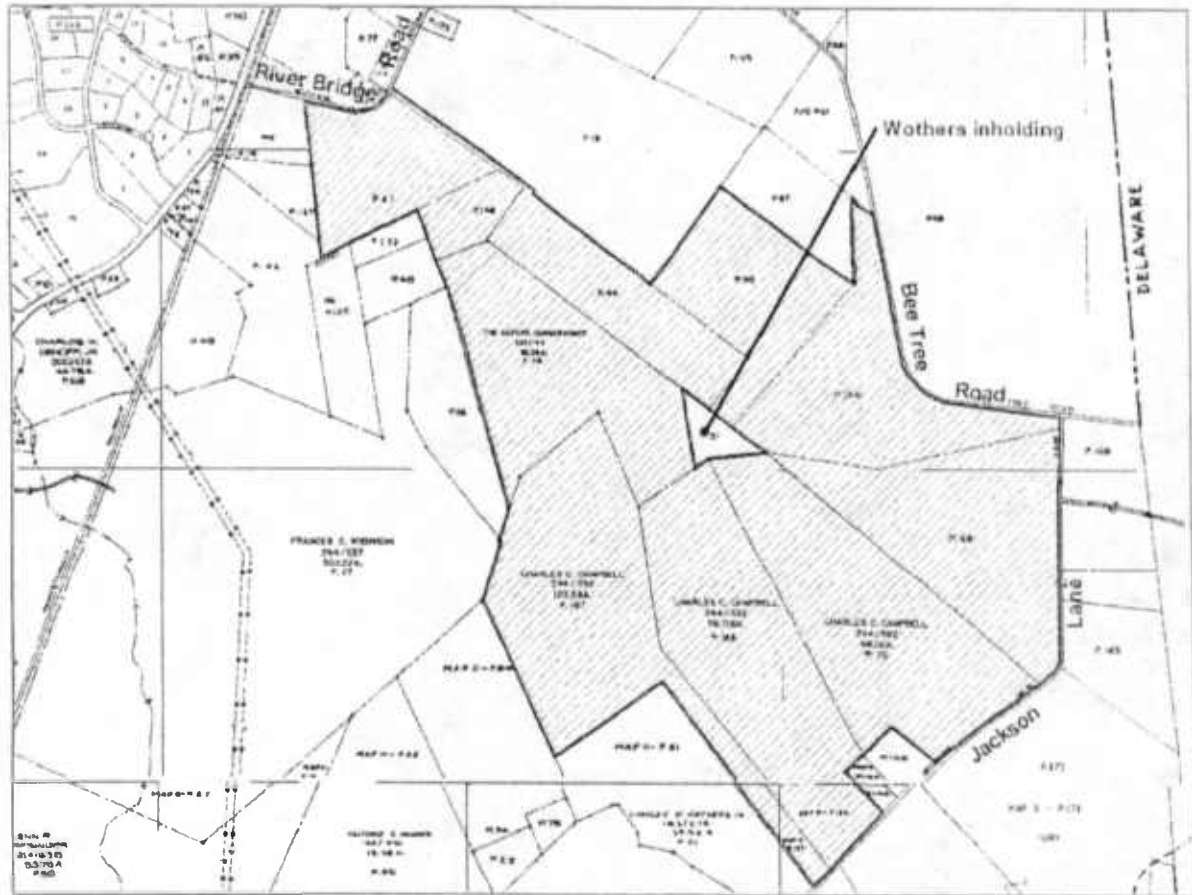


EXHIBIT A

Nature Conservancy's Jackson Lane Preserve (the "Property")



Martin O'Malley
Governor

Anthony G. Brown
Lt. Governor



Margaret G. McHale
Chair

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/

January 23, 2008

Ms. Betsy Walk
Planning & Codes Administration
Caroline County
403 S. 7th Street, Suite 210
Denton, MD 21629-1335

Re: Minor Subdivision and Line Revision – CCB-CDG, LLC

Dear Ms. Walk:

Thank you for submitting the additional materials for the above referenced proposed subdivision. The site is partially within the Resource Conservation Area (RCA) of the Chesapeake Bay Critical Area. An updated site plan addressing the concerns of the previous letter (November 28, 2007) from this office has not been received. The following comments apply to materials submitted to this office after November 28, 2007.

1. The submitted FIDs worksheet shows that the guidelines for development in a FIDs habitat area are not met for the site. The report states that site constraints limit the location of the development envelope, and that between 20% and 40% of the interior FIDs habitat will be lost. That extent of clearing of FIDs interior habitat is not justified for development of the proposed lot. It appears that the site can meet FIDs guidelines if the following were proposed: limit clearing to preserve at least 80% of interior habitat; design the site to minimize loss of canopy; and cluster the development by placing the house near adjacent development. We recommend a linear SRA instead of a square one, so that a greater canopy may be retained over the SRA. The house and associated clearing and SRA location on the adjacent lot to the north resulted in fringe habitat on the subject site. As a result, to meet the guidelines, development on the subject lot must occur within that fringe habitat. Prior to subdivision approval, plans and assurance for FIDs mitigation should be provided in a manner that meets the FIDs mitigation guidelines. Please have the applicant revise the proposal to show that the FIDs guidelines are met to the extent possible. The mitigation obligation (which is dramatically less when guidelines are followed) was not addressed in

the submitted materials. Please have the applicant complete the mitigation section of the guidelines in respect to the proposed development.

2. The letter from DNR Wildlife and Heritage Service dated November 3, 2006 states that there is a bald eagle nest in the vicinity of this site. It is a habitat protection area, for which there are additional requirements under the Critical Area Law. The guidelines for proposals in the vicinity of bald eagle habitat must be followed for this proposal. Please have the applicant address the necessary guidelines in a Habitat Management Plan and show on the subdivision plans that they will be met by future development activity on this site.

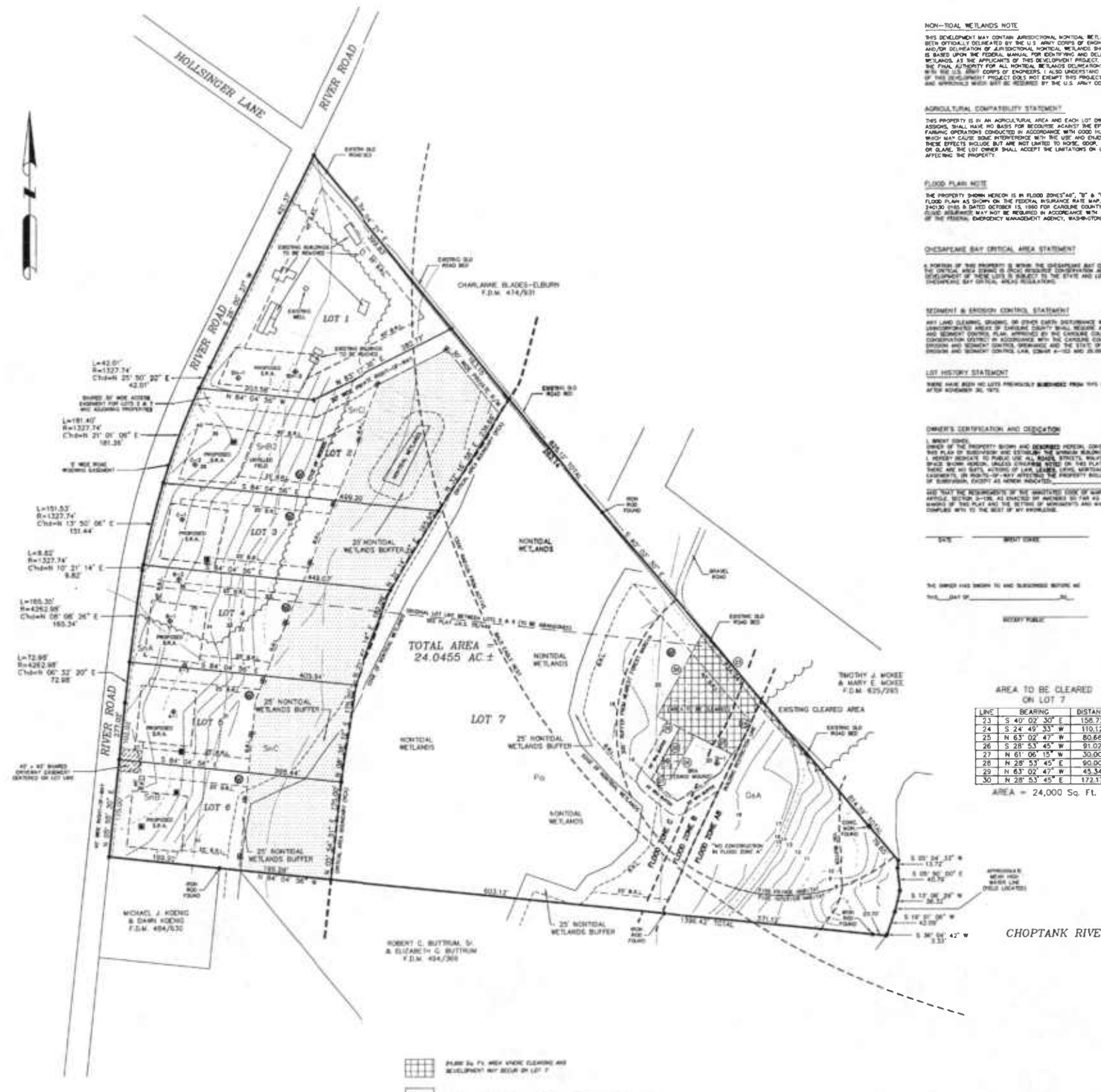
Thank you for the opportunity to review this project. Please address the comments above and provide a revised subdivision plat. If you have any comments or questions please contact me directly at 410-260-3479.

Sincerely,



Marshall Johnson
Natural Resources Plan

cc: CR 465-06



LOT AREAS

- LOT 1 = 2.2854 AC ±
- LOT 2 = 2.7533 AC ±
- LOT 3 = 1.6377 AC ±
- LOT 4 = 1.7202 AC ±
- LOT 5 = 1.6169 AC ±
- LOT 6 = 1.6008 AC ±
- LOT 7 = 12.4312 AC ±

SURVEYOR'S CERTIFICATE
 I HEREBY CERTIFY THAT THE FINAL PLAT SHOWN HEREON IS CORRECT THAT IT IS A SUBDIVISION OF THE LANDS CONVEYED FROM JAMES E. PATRICK AND MERRY LEE PATRICK TO COB-COG, LLC BY DEED DATED DECEMBER 13, 2005 AND RECORDED IN THE LAND RECORDS OF CAROLINE COUNTY, MARYLAND IN LIBER 853, FOLIO 461 AND THAT THE REQUIREMENTS OF THE CAROLINE COUNTY SUBDIVISION REGULATIONS AND THE ANNOTATED CODE OF MARYLAND REAL PROPERTY ARTICLE 3-108 AS ENACTED OR AMENDED, SO FAR AS THEY MAY CONCERN THE MAKING OF THIS PLAT AND THE SETTING OF MONUMENTS AND MARKERS HAVE BEEN COMPLIED WITH.

Ronald K. Schrader 2/15/08
 RONALD K. SCHRADER
 REGISTERED PROPERTY LINE SURVEYOR No. 148
 130 EVELYN LANE
 CHESTERTOWN, MARYLAND 21620

- PLUMB 5/8" P.V. HIGH WIRE CLEARING AND WEEDING MUST BE DONE ON LOT 7
- NOTES PROTECTED FOREST RETENTION AREA (FR) AC - SEE SHEET 2 OF 2
- NOTES FOREST RETENTION AREA PROTECTIVE ZONE
- NOTES PERCOLATION TEST PIT

NON-TIDAL WETLANDS NOTE
 THIS DEVELOPMENT MAY CONTAIN JURISDICTIONAL NON-TIDAL WETLANDS WHICH HAVE NOT BEEN OFFICIALLY DELINEATED BY THE U.S. ARMY CORPS OF ENGINEERS. THE IDENTIFICATION AND/OR DELINEATION OF JURISDICTIONAL WETLANDS SHOWN ON THIS APPLICATION IS BASED UPON THE FEDERAL MANUAL FOR IDENTIFYING AND DELINEATING JURISDICTIONAL WETLANDS AT THE APPLICANTS OF THIS DEVELOPMENT PROJECT. IT IS UNDERSTOOD THAT THE FINAL AUTHORITY FOR ALL NON-TIDAL WETLANDS DELINEATIONS AND REGULATORY RESTRICTIONS WILL BE THE U.S. ARMY CORPS OF ENGINEERS. ALSO UNDERSTOOD THAT COUNTY APPROVAL OF THIS DEVELOPMENT PROJECT DOES NOT EXEMPT THIS PROJECT FROM OBTAINING PERMITS AND APPROVALS WHICH MUST BE OBTAINED BY THE U.S. ARMY CORPS OF ENGINEERS.

AGRICULTURAL COMPATIBILITY STATEMENT
 THIS PROPERTY IS IN AN AGRICULTURAL AREA AND EACH LOT OWNER, ITS SUCCESSORS OR ASSIGNS SHALL HAVE NO BASIS FOR RECOVERY AGAINST THE EFFECTS OF ANY NORMAL FARMING OPERATIONS CONDUCTED IN ACCORDANCE WITH GOOD HUSBANDRY PRACTICES WHICH MAY CAUSE SOME INTERFERENCE WITH THE USE AND ENJOYMENT OF THE PROPERTY. THESE EFFECTS INCLUDE, BUT ARE NOT LIMITED TO, NOISE, ODOR, VIBRATION, PLANKS, JUST OR CLAMS, THE LOT OWNER SHALL ACCEPT THE LIMITATIONS ON USE AND ENJOYMENT AFFECTING THE PROPERTY.

FLOOD PLAIN NOTE
 THE PROPERTY SHOWN HEREON IS IN FLOOD ZONE "AE", "A", "V" LOCATED WITHIN THE COASTAL FLOOD PLAIN AS SHOWN ON THE FEDERAL INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 24030 (18) 5 DATED OCTOBER 15, 1980 FOR CAROLINE COUNTY, MARYLAND. THEREFORE MANDATORY FLOOD INSURANCE MAY NOT BE REQUIRED IN ACCORDANCE WITH THE PROVISIONS OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, WASHINGTON, D.C.

CHESAPEAKE BAY CRITICAL AREA STATEMENT
 A PORTION OF THIS PROPERTY IS WITHIN THE CHESAPEAKE BAY CRITICAL AREA. THE CRITICAL AREA ZONING IS EACH PROPERTY SHALL REQUIRE AN EROSION AND SEDIMENT CONTROL PLAN APPROVED BY THE CAROLINE COUNTY SOIL CONSERVATION SERVICE IN ACCORDANCE WITH THE CAROLINE COUNTY SOIL EROSION AND SEDIMENT CONTROL ORDINANCE AND THE STATE OF MARYLAND EROSION AND SEDIMENT CONTROL LAW, CHAPTER 4-102 AND 28.06.01.02.

SETBACK AND EROSION CONTROL STATEMENT
 ANY LAND CLEARING, GRADING OR OTHER EARTH DISTURBANCE WITHIN THE UNDEVELOPED AREAS OF THIS PROPERTY SHALL REQUIRE AN EROSION AND SEDIMENT CONTROL PLAN APPROVED BY THE CAROLINE COUNTY SOIL CONSERVATION SERVICE IN ACCORDANCE WITH THE CAROLINE COUNTY SOIL EROSION AND SEDIMENT CONTROL ORDINANCE AND THE STATE OF MARYLAND EROSION AND SEDIMENT CONTROL LAW, CHAPTER 4-102 AND 28.06.01.02.

LOT HISTORY STATEMENT
 THERE HAVE BEEN NO LOTS PREVIOUSLY SUBDIVIDED FROM THIS ORIGINAL PLAT AFTER NOVEMBER 30, 1978.

OWNER'S CERTIFICATION AND DESIGNATION
 I, **OWNER**, OWNER OF THE PROPERTY SHOWN AND DESIGNATED HEREON TO HAVE ACCEPTED THIS PLAN OF SUBDIVISION AND ESTABLISH THE FOREST RESTRICTION LINES, I HEREBY DESIGNATE TO PUBLIC USE ALL ROAD, BRIDGES, WALKWAYS AND OPEN SPACE SHOWN HEREON UNLESS OTHERWISE NOTED ON THIS PLAN. I CERTIFY THAT THERE ARE NO DEEDS, EASEMENTS OF LAW, LEASES, DEEDS, MORTGAGES, TRUSTS, AGREEMENTS OR RIGHTS OF WAY PREVIOUSLY HELD BY THE PROPERTY HELD BY THIS PLAN OF SUBDIVISION, EXCEPT AS HEREIN INDICATED.

NOTE THAT THE REQUIREMENTS OF THE ANNOTATED CODE OF MARYLAND REAL PROPERTY ARTICLE 3-108 ARE TO BE COMPLIED WITH BY THE OWNER OF ANY LOT. THE MARKERS OF THIS PLAT AND THE SETTING OF MONUMENTS AND MARKERS HAVE BEEN COMPLIED WITH TO THE BEST OF MY KNOWLEDGE.

DATE: _____ WEST CORNER

THE OWNER HAS BEEN TO AND SURRENDERED BEFORE ME THIS _____ DAY OF _____, 2008.

NOTARY PUBLIC

AREA TO BE CLEARED ON LOT 7

LINE	BEARING	DISTANCE
23	S 40° 02' 30" E	158.72
24	S 24° 49' 33" W	110.12
25	N 63° 02' 47" W	80.66
26	S 28° 53' 45" W	91.02
27	N 61° 06' 15" W	30.00
28	N 28° 53' 45" E	90.00
29	N 63° 02' 47" W	45.34
30	N 28° 53' 45" E	172.17

AREA = 24,000 Sq. Ft.

- GENERAL NOTES:**
- PROPERTY LOCATED ON TAX MAP 23, GRID 21, PARCEL 109
 - FOR CURRENT DEED REFERENCE SEE LIBER 853, FOLIO 461.
 - OWNER/SUBDIVIDER: COB-COG, LLC
 P.O. BOX 236
 CHESTER, MD 21619
 - THE ZONING CLASSIFICATION IS R (RURAL)
 - BUILDING RESTRICTION LINES AS SHOWN HEREON ARE VARIOUS:
 FRONT YARD 40 FEET
 SIDE YARD 20 FEET
 REAR YARD 30 FEET
 - NON-TIDAL WETLANDS SHOWN HEREON WERE FIELD DELINEATED BY THE STATE OF MARYLAND DEPT. OF THE ENVIRONMENT AND FIELD LOCATED BY R. K. SCHRADER LAND SURVEYS, LLC.
 - THE PROPERTIES SHOWN HEREON ARE SUBJECT TO FOREST CONSERVATION PLAN - FCV CO-04-34, RECORDED IN THE PLAT RECORDS OF CAROLINE COUNTY, MARYLAND IN PLAT BOOK _____, PLAT No. _____, IN ACCORDANCE WITH COMAR 08.06.
 - THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF REVIEW OF AN ABSTRACT OF TITLE.
 - B.F.L. DENOTES BUILDING RESTRICTION LINE
 - ⊕ DENOTES PROPOSED WELL
 - DENOTES FROM ROD SET UNLESS OTHERWISE NOTED.
 - ALL LOTS ARE APPROVED FOR A MAXIMUM 4 BEDROOM HOME (600 Sq. Ft., 4000 PWS/1-3500 Sq. Ft.) UNLESS SPECIFIED OTHERWISE.
 - NO GROUND SWIMMING POOLS ARE NOT PERMITTED LESS THAN 25' FROM SEPTIC RESERVE AREA.
 - NO PERMANENT STRUCTURES ARE PERMITTED IN THE SEPTIC RESERVE AREA.
 - ALL SEPTIC RESERVE AREAS SHOWN HEREON ARE 10,000 Sq. Ft.
 - NO CLEARING, TRIMMING, HARVESTING, EXCAVATION, GRADING OR CONSTRUCTION ARE PERMITTED WITHIN THE 150' RADIUS BUFFER FROM THE ACTIVE BALD EAGLE NEST FROM DECEMBER 15 THROUGH APRIL 15 NESTING SEASON.

APPROVED BY:
 THIS SUBDIVISION IS APPROVED FOR INTERIOR INDIVIDUAL WATER AND SEWERAGE SYSTEMS AND THEIR USE IS IN ACCORDANCE WITH THE CAROLINE COUNTY COMPREHENSIVE WATER AND SEWERAGE PLAN. THE APPLICANT OR ANY FUTURE OWNER MUST DISCONTINUE USE OF THESE INDIVIDUAL SYSTEMS AND CONNECT TO THE COMMUNITY SYSTEMS WHEN THEY BECOME AVAILABLE. THE SUBDIVISION SHOWN HEREON IS APPROVED AS BEING IN CONFORMANCE WITH THE CAROLINE COUNTY COMPREHENSIVE WATER AND SEWERAGE PLAN.

CAROLINE COUNTY APPROVING AUTHORITY _____ DATE _____
 CAROLINE COUNTY ZONING ADMINISTRATOR _____ DATE _____



R. K. SCHRADER
 Land Surveys, LLC
 120 EVELYN LANE
 CHESTERTOWN, MARYLAND 21620
 PHONE No. 1-410-778-0364
 E-MAIL: rkssurveys@hotmail.com

DATE	REVISION
3/1/08	PER ORIGINAL AREA COMD.

MINOR SUBDIVISION & LINE REVISION		DATE	SCALE
OF THE LANDS OF CCB-COG, LLC		2/15/08	1"=100'
IN THE SEVENTH ELECTION DISTRICT, TAX MAP 23, GRID 21, PARCEL 109 CAROLINE COUNTY, MARYLAND		JOB No. Cohes	DRAWN BY RKS
		FOLDER Ref Cohes	DESIGNED BY RKS
		SHEET No. - 1 of 2	
		CADD FILE - Cohes-2	

Martin O'Malley
Governor

Anthony G. Brown
Lt. Governor



Margaret G. McHale
Chair

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 13, 2008

Ms. Betsy Walk
Planning & Codes Administration
Caroline County
403 S. 7th Street, Suite 210
Denton, MD 21629-1335

Re: Minor Subdivision and Line Revision – CCB-CDG, LLC

Dear Ms. Walk:

Thank you for submitting the revised materials for the above referenced proposed subdivision. The site is partially within the Resource Conservation Area (RCA) of the Chesapeake Bay Critical Area. The following comments apply to the proposed subdivision. The submitted FIDS worksheet shows that the guidelines for development in FIDS habitat area will met. The mitigation obligation described in the report is 0.55 acres. Mitigation that results in the conservation and protection of FIDS habitat can be achieved in a number of ways. FIDS mitigation can, in many cases, be achieved on-site concurrently with general forest replacement requirements (reforestation) if the reforestation area expands or creates new FIDS habitat. Off-site mitigation should only be considered when no effective, long-term on-site habitat protection is possible. This determination should be made by the local jurisdiction with the input of DNR and the Critical Area Commission staff. Please review the FIDS guideline manual for mitigation starting on page 21, and have the applicant show how the 0.55 acre mitigation requirement will be met prior to final plat approval. Please note that any FIDS habitat created will be required to be permanently protected via a conservation easement.

Thank you for the opportunity to review this project. If you have any comments or questions please contact me directly at 410-260-3479.

Sincerely,

A handwritten signature in black ink, appearing to read "Marshall Johnson".

Marshall Johnson
Natural Resources Plan

cc: CR 465-06

ENVIRONMENTAL REGULATIONS CONSULTANT, INC.

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

1 March 2008

Rec via email
3/10
MJ

Betsy Walk
Planning & Codes Administration
Health & Public Services Building
403 South 7th Street, Suite 210
Denton, Maryland 21629

Dear Ms Walk:

Enclosed is a revised **FIDS Conservation Worksheet** for the CCB-CDG, LLC subdivision proposal as per your 23 January 2008 Critical Area Commission letter suggestions from Marshall Johnson. Surveyor Ron Schrader will forward under separate cover a revised Subdivision and FSD/FCP Plan reflecting an adjoining property forest margin, a 300 feet buffer from the forest margin onto the subject property, differentiation between "FIDS" and "FIDS Interior" habitats, restricting development and the Health Department approved mound system (30' X 90') to a specific 24,000 sq. ft. building pad area on Lot 7 where development can only take place during the period 16 June through 14 December, a 1320 feet buffer from a nearby protected active Bald Eagle nest, and supporting notes for the new graphic denotation.

It appears forest disturbance mitigation requirements will have to be met before Critical Area Commission approval of the subdivision, but that will have to be worked-out between the developer and the county (land bank, fee in lieu) and/or the Critical Area Commission.

Thanks for all your work and cooperation in this Critical Area review. Please let me know if I can be of further assistance in facilitating the client subdivision proposal.

Regards



Jan Reese

Encl: FIDS Conservation Worksheet
CC: R.K. Schrader Land Surveys, LLC

FIDS CONSERVATION WORKSHEET

Parcel size 24.05 total acreage
12.43 Critical Area acreage

Existing
 Forest cover 19.895 total contiguous acreage
 Forest cover 12.43 total acres CA
 FIDS habitat* 12.43 total acres CA
 FIDS interior 10.2 acres CA

Calculate interior by subtracting out a 300 ft. edge.**

If available: >100.0 acreage of contiguous forest area both
 in and out of the CA within a 3-mile
 radius.

Post development
 Forest cover 11.88 total acres CA
 FIDS habitat 11.88 total acres CA
 Interior habitat remaining 10.2 acres CA
 Interior acreage

***How to Identify FIDS Habitat**

Assume FIDS habitat is present if a forest meets either of the following minimum conditions:

Forests at least 50 acres in size with 10 or more acres of forest interior (see below to calculate interior) habitat. The majority of the forest tracts should be dominated by pole-sized or larger trees (5 inches or more in diameter at breast height), or have a closed canopy; or

Riparian forests at least 50 acres in size with an average total width of at least 300 feet. The stream within the riparian forest should be perennial, based on field surveys or as indicated on the most recent 7.5 minute USGS topographic maps. The majority of the forest tracts should be dominated by pole-sized or larger trees, or have a closed canopy.

In lieu of using the above criteria for determining if FIDS habitat is present, a FIDS survey may be done by a qualified FIDS observer. See page 12 of the Guidance Document for the procedures to be followed. You may contact the Maryland Department of Natural Resources, Forest Wildlife Divisions or the Critical Area Commission for a list of qualified observers.

****How to Measure the amount of forest interior and forest edge**

To determine the amount of interior in a forest, the edge of 300 feet is subtracted from the total contiguous forest. The area left is forest interior provided it is at least ten acres in size.

When measuring forest edge, do not include natural forest edges such as those adjacent to open water, nonforested wetlands and streams. Riparian forests of 300 feet or greater are considered interior habitat when calculating FIDS habitat in the Critical Area provided that they have a minimum of 50 contiguous acres or are connected to a forest that has been determined to be FIDS habitat.

Please answer the following questions regarding the FIDS Site Design Guidelines and how they were applied to the project.

1. Has development (e.g., house, septic reserve areas, driveway) been restricted to nonforested areas? Yes ___ No

If no, explain

THE ENTIRE CRITICAL AREA PORTION OF THE PROPERTY IS FORESTED

2. If development has not been restricted to nonforested areas, has development been restricted to:
- a. perimeter of the forest within 300 feet of the forest edge? Yes No ___
 - b. thin strips of upland forest less than 300 feet wide? Yes ___ No
 - c. isolated forests less than 50 acres in size? Yes ___ No
 - d. portions of the forest with low quality FIDS habitat, (e.g., areas that are heavily fragmented, relatively young, exhibit low structural diversity, etc.)? Yes ___ No

3. Have new lots been restricted to existing nonforested areas and/or forests as described in #2 above? Yes No ___

If no, please explain how property owners will be prevented

from clearing in the FIDS habitat on their property (i.e., protective covenants/easements)?

APPROXIMATELY 10.37 ACRES IN THE CRITICAL AREA CANNOT BE DEVELOPED BECAUSE IT IS NON-TIDAL WETLANDS, WETLAND BUFFER, 100-YEAR FLOOD PLAIN, AND/OR CRITICAL AREA SHORELINCE BUFFER

4. Will forest removal be limited to the footprint of the house and

that which will be necessary for the placement of roads and driveways? Yes No

5. Have the number and lengths of roads been minimized? Yes No

6. Have the width of roads and driveways been reduced to 25 feet and 15 feet respectively? Yes No

If no, explain

CLEARING IS RESTRICTED TO AN APPROXIMATELY HALF ACRE AREA ON THE 12 ACRES LOT WITH ACTUAL CLEARING DIVISIONED AS 0.55 ACRE FOR A SAND MOUND SYSTEM, HOUSE AND VEHICLE PARKING. THERE IS AN EXISTING LIMB IMPROVED LAKE THROUGH THE CLOSED FOREST CANOPY TO ACCESS THE PROPOSED HOUSE SITE THEREFORE ANY CLEARING HERE WOULD BE MINIMAL MAINTENANCE

7. Will the forest canopy be maintained over roads and driveways? Yes No

8. Will the forest canopy be maintained up to the edge of roads and driveways? Yes No

9. Will at least 80% of the forest interior be maintained after development? Yes No

If no, indicate percentage of forest interior that will be maintained? 100 %

10. Are there special conditions on the site that limit where houses and other development activities may be located such as wetlands, steep slopes, etc.? If so, please identify and explain.

YES, LANDWARD LIMITS OF SHORELINE BUFFER, 100-YEAR FLOOD PLAIN, NON-TIDAL WETLANDS, WETLAND BUFFER, AND/OR NREATH DEPARTMENT APPROVED SDA RESTRICT DEVELOPMENT ON THE LOT TO AN APPROXIMATELY TWO ACRES AREA

11. Do you believe that the *Site Design Guidelines* have been followed and that FIDS habitat has been conserved on this site? Yes No

IN VIEW OF FACTORS NOTED ABOVE, ANY DEVELOPMENT ON THIS LOT WILL IMPACT FIDS HABITAT, HOWEVER THE PROPOSED DESIGN AVOIDS IMPACTING ANY INTERIOR FIDS HABITAT

MITIGATION REQUIREMENTS

If the *Site Design Guidelines* have been followed the required mitigation will be the creation of FIDS habitat equal to the acreage being directly cut or disturbed. (See pages 27 - 28 for specific mitigation options and criteria.)

Enter acreage of FIDS habitat that is being directly impacted 0.55 acres.

THIS IS YOUR MITIGATION REQUIREMENT WHEN THE SITE DESIGN GUIDELINES ARE FOLLOWED.

If the *Site Design Guidelines* have not been followed complete the following.

A. Pre-development FIDS habitat	<u>12.43</u> acres.
B. Post development FIDS habitat	<u>11.88</u> acres.
C. Pre-development FIDS habitat interior	<u>10.2</u> acres.
D. Post development FIDS habitat interior	<u>10.2</u> acres.
E. FIDS habitat being directly impacted	<u>0.55</u> acres.
(Subtract B from A)	
F. Interior lost due to development	<u>0</u> acres.
(Subtract D from C)	
G. Multiply F. times two (2) <u>0</u> acres and add to E. = <u>0.55</u> acres.	

THIS IS YOUR MITIGATION REQUIREMENT WHEN THE DEVELOPMENT GUIDELINES HAVE NOT BEEN MET.

APPENDIX D

FIDS CONSERVATION WORKSHEET

Parcel size	<u>24.05</u>	total acreage
	<u>12.43</u>	Critical Area acreage
Existing		
Forest cover	<u>19.895</u>	total contiguous acreage
Forest cover	<u>12.43</u>	total acres CA
FIDS habitat*	<u>12.43</u>	total acres CA
FIDS interior	<u>ABOUT 7.2</u>	acres CA

Calculate interior by subtracting out a 300 ft. edge.**

If available: >100.0 acreage of contiguous forest area both
in and out of the CA within a 3-mile
radius.

Post development

Forest cover	<u>ABOUT 10.37</u>	total acres CA
FIDS habitat	<u>ABOUT 10.37</u>	total acres CA
Interior habitat remaining	<u>ABOUT 5.14</u>	acres CA
Interior acreage		

***How to Identify FIDS Habitat**

Assume FIDS habitat is present if a forest meets either of the following minimum conditions:

Forests at least 50 acres in size with 10 or more acres of forest interior (see below to calculate interior) habitat. The majority of the forest tracts should be dominated by pole-sized or larger trees (5 inches or more in diameter at breast height), or have a closed canopy; or

Riparian forests at least 50 acres in size with an average total width of at least 300 feet. The stream within the riparian forest should be perennial, based on field surveys or as indicated on the most recent 7.5 minute USGS topographic maps. The majority of the forest tracts should be dominated by pole-sized or larger trees, or have a closed canopy.

In lieu of using the above criteria for determining if FIDS habitat is present, a FIDS survey may be done by a qualified FIDS observer. See page 12 of the Guidance Document for the procedures to be followed. You may contact the Maryland Department of Natural Resources, Forest Wildlife Divisions or the Critical Area Commission for a list of qualified observers.

****How to Measure the amount of forest interior and forest edge**

To determine the amount of interior in a forest, the edge of 300 feet is subtracted from the total contiguous forest. The area left is forest interior provided it is at least ten acres in size.

When measuring forest edge, do not include natural forest edges such as those adjacent to open water, nonforested wetlands and streams. Riparian forests of 300 feet or greater are considered interior habitat when calculating FIDS habitat in the Critical Area provided that they have a minimum of 50 contiguous acres or are connected to a forest that has been determined to be FIDS habitat.

Please answer the following questions regarding the FIDS Site Design Guidelines and how they were applied to the project.

1. Has development (e.g., house, septic reserve areas, driveway) been restricted to nonforested areas? Yes ___ No

If no, explain

THE ENTIRE CRITICAL AREA PORTION OF THE PROPERTY IS FORESTED

2. If development has not been restricted to nonforested areas, has development been restricted to:
- a. perimeter of the forest within 300 feet of the forest edge? Yes ___ No
 - b. thin strips of upland forest less than 300 feet wide? Yes ___ No
 - c. isolated forests less than 50 acres in size? Yes ___ No
 - d. portions of the forest with low quality FIDS habitat, (e.g., areas that are heavily fragmented, relatively young, exhibit low structural diversity, etc.)? Yes ___ No
3. Have new lots been restricted to existing nonforested areas and/or forests as described in #2 above? Yes ___ No

If no, please explain how property owners will be prevented

from clearing in the FIDS habitat on their property (i.e., protective covenants/easements)?

APPROXIMATELY 10.37 ACRES IN THE CRITICAL AREA CANNOT BE DEVELOPED BECAUSE IT IS NON-TIDAL WETLANDS, WETLAND BUFFER, 100-YEAR FLOOD PLAIN, AND/OR CRITICAL AREA SHORELINE BUFFER

4. Will forest removal be limited to the footprint of the house and

that which will be necessary for the placement of roads and driveways? Yes ___ No

5. Have the number and lengths of roads been minimized? Yes No ___

6. Have the width of roads and driveways been reduced to 25 feet and 15 feet respectively? Yes No ___

If no, explain

CLEARING IS RESTRICTED TO AN APPROXIMATELY TWO ACRES AREA ON THE 12 ACRES LOT WITH ACTUAL CLEARING ESTIMATED AS LESS THAN ONE ACRE FOR THE SDA HOUSE AND VEHICLE PARKING. THERE IS AN EXISTING UNIMPROVED LANE THROUGH THE CLOSED FOREST CANOPY TO ACCESS THE PROPOSED HOUSE SITE THEREFORE ANY CLEARING HERE WOULD BE MINIMAL MAINTENANCE

7. Will the forest canopy be maintained over roads and driveways? Yes No ___

8. Will the forest canopy be maintained up to the edge of roads and driveways? Yes No ___

9. Will at least 80% of the forest interior be maintained after development? Yes ___ No

If no, indicate percentage of forest interior that will be maintained? 60-80 %

10. Are there special conditions on the site that limit where houses and other development activities may be located such as wetlands, steep slopes, etc.? If so, please identify and explain.

YES LANDWARD LIMITS OF FORELINE BUFFER, 100-YEAR FLOOD PLAIN, NON-TIDAL WETLANDS WETLAND BUFFER AND/OR HEALTH DEPARTMENT APPROVED SDA RESTRICT DEVELOPMENT ON THE LOT TO AN APPROXIMATELY TWO ACRES AREA

11. Do you believe that the *Site Design Guidelines* have been followed and that FIDS habitat has been conserved on this site? Yes ___ No ___

IN VIEW OF FACTORS NOTED ABOVE, ANY DEVELOPMENT ON THIS LOT WILL IMPACT FIDS HABITAT, HOWEVER THE PROPOSED DESIGN APPEARS TO MINIMIZE THOSE IMPACTS

MITIGATION REQUIREMENTS

If the *Site Design Guidelines* have been followed the required mitigation will be the creation of FIDS habitat equal to the acreage being directly cut or disturbed. (See pages 27 - 28 for specific mitigation options and criteria.)

Enter acreage of FIDS habitat that is being directly impacted _____ acres.

THIS IS YOUR MITIGATION REQUIREMENT WHEN THE SITE DESIGN GUIDELINES ARE FOLLOWED.

If the *Site Design Guidelines* have not been followed complete the following.

- | | | |
|---|---------------------|-------|
| A. Pre-development FIDS habitat | <u>17.43</u> acres. | |
| B. Post development FIDS habitat | <u>10.37</u> acres. | |
| C. Pre-development FIDS habitat interior | <u>7.2</u> acres. | |
| D. Post development FIDS habitat interior | <u>5.14</u> acres. | |
| E. FIDS habitat being directly impacted
(Subtract B from A) | <u>7.06</u> acres. | -1.21 |
| F. Interior lost due to development
(Subtract D from C) | _____ acres. | 2.31 |
| G. Multiply F. times two (2) _____ acres and add to E. = _____ acres. | | |

THIS IS YOUR MITIGATION REQUIREMENT WHEN THE DEVELOPMENT GUIDELINES HAVE NOT BEEN MET.

Martin O'Malley
Governor

Anthony G. Brown
Lt. Governor



Margaret G. McHale
Chair

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/

November 28, 2007

Ms. Betsy Walk
Planning & Codes Administration
Caroline County
403 S. 7th Street, Suite 210
Denton, MD 21629-1335

Re: Minor Subdivision and Line Revision – CCB-CDG, LLC

Dear Ms. Walk:

Thank you for submitting the revised plans for the above referenced proposed subdivision. The site is partially within the Resource Conservation Area (RCA) of the Chesapeake Bay Critical Area. Some of the requirements listed in the July 24, 2006 letter from this office regarding the proposal have not been adequately addressed and must be met prior to plat approval. The following comments apply to the proposed subdivision.

1. The letter from DNR Wildlife and Heritage Service dated November 3, 2006 states that there is a bald eagle nest in the vicinity and FIDS habitat at this site. Both are habitat protection areas, for which there are additional requirements under the Critical Area Law. The guidelines described in the letter must be followed for this proposal. Please have the applicant address the guidelines in a Habitat Management Plan and show on the subdivision plans that they will be met by future development activity on this site.
2. Natural Resource Article section 8-1810(a), the Code of Maryland Regulations (COMAR) Title 27 and State Critical Area Law (Natural Resource Article 8-1808) state strict density limits for development in the RCA. Specifically, subdivision in the RCA is restricted to one dwelling unit per twenty acres. The applicant has proposed to divide portions of the RCA on the site into several new and separate lots. The subdivision of the existing 12 acre RCA parcel is not permissible as proposed as insufficient density exists to support such a division.

TTY for the Deaf

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

Further division of the RCA on this site creates an increased nonconformity within the RCA, results in a negative impact on the character of RCA land and is not consistent with the Critical Area Law and density restrictions. Please have the applicant revise the subdivision so that all of the RCA area on the site remains within one lot.

3. The environmental assessment report that was submitted appears to include only page 1 and 6, plus figures and a copy of the DNR Wildlife and Heritage letter, without the copy of a map showing location of the bald eagle nest. The report incorrectly states that the site is LDA. Please have the applicant submit a corrected and complete copy of the environmental report.
4. Any proposed impacts to non-tidal wetlands on this site must receive prior approval from the Maryland Department of the Environment.

Thank you for the opportunity to review this project. If you have any comments or questions please contact me directly at 410-260-3479.

Sincerely,



Marshall Johnson
Natural Resources Plan

cc: CR 465-06

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/

July 26, 2006

Ms. Crystal Porter
Planning & Codes Administration
Caroline County
403 S. 7th Street, Suite 210
Denton, MD 21629-1335

VIA US MAIL AND FACSIMILE

Re: Minor Subdivision and Line Revision – CCB-CDG, LLC

Dear Ms. Porter:

Thank you for the submission of the documents related to the minor subdivision and lot line revision for the above referenced project. The project is located along River Road and is referenced on Caroline County Tax Map 23, Block 21, Parcel 109. The 24.046± acre parcel currently consists of two lots partially within the Critical Area. It is understood that the applicant is requesting to abandon the lot line bifurcating the property and create a total of seven lots. Six of the lots will be partially within the Critical Area. One lot is wholly within the Critical Area and is waterfront. The entire portion of the Critical Area on the property is designated as Resource Conservation Area (RCA) and is fully forested.

Critical Area staff has reviewed the supplied information and has the following comments:

1. The Critical Area boundary is marked as LDA on the site plan. This should be changed to RCA.
2. Under the Caroline County Critical Area Program, an applicant proposing to submit a major or minor subdivision must submit an environmental assessment which documents the use of the land before, during, and after construction and provides mitigation measures for any adverse effects caused by the development. The environmental assessment shall be prepared by a qualified consultant.

3. It is unclear why the applicant is proposing the protected forest retention area as depicted on the site plan. It seems to be a strange configuration as compared to the Limit of Disturbance Line.
4. The area of non-tidal wetland and buffer on Lot 2 is shown as cleared area. This area of non-tidal wetland and buffer should remain undisturbed.
5. Lots 2-6 extend into the RCA portion of the Critical Area. No development activities whatsoever are permitted with RCA to support uses outside the RCA. This includes accessory structures, septic reserve areas, wells, stormwater BMP's, etc. A conservation easement should be in place to ensure the continued protection of the RCA portion of the property and should be noted on the plat.
6. Please describe how all lots will be accessed.
7. An environmental review letter must be obtained from DNR's Wildlife and Heritage Service. A preliminary review indicates the possible presence of a federally protected species within close proximity of the project site.
8. The Critical Area portion of the site will qualify as protected Forest Interior Dwelling Species (FIDS) bird habitat. This is specially protected under the Critical Area Law. A review of the amount of clearing within the Critical Area must be performed and, if necessary, the FIDS mitigation worksheet must be completed.
9. A jurisdictional determination must be obtained from the Army Corps of Engineers.
10. Please state if there are any State or privately owned tidal wetlands present on the site and how they are used in any density calculations.
11. The mean high waterline must be delineated in the field to obtain the exact location of the 100-foot Buffer.
12. Please provide the proposed amount of impervious surface in the RCA.
13. The Legend needs to be corrected to depict the "Protected Forest Retention Area" hatching on the site plan.
14. Please define any areas of steep slopes on the site if present. It would be helpful to provide a topographic layer on the site plan with contours in 5 foot increments or less.
15. Please provide an account of all existing, proposed, and total impervious surface within the Critical Area and place this information on the site plan or include it in the required environmental report.

Ms. Porter
Project # CCB-CCB, LLC

July 26, 2006
Page 3

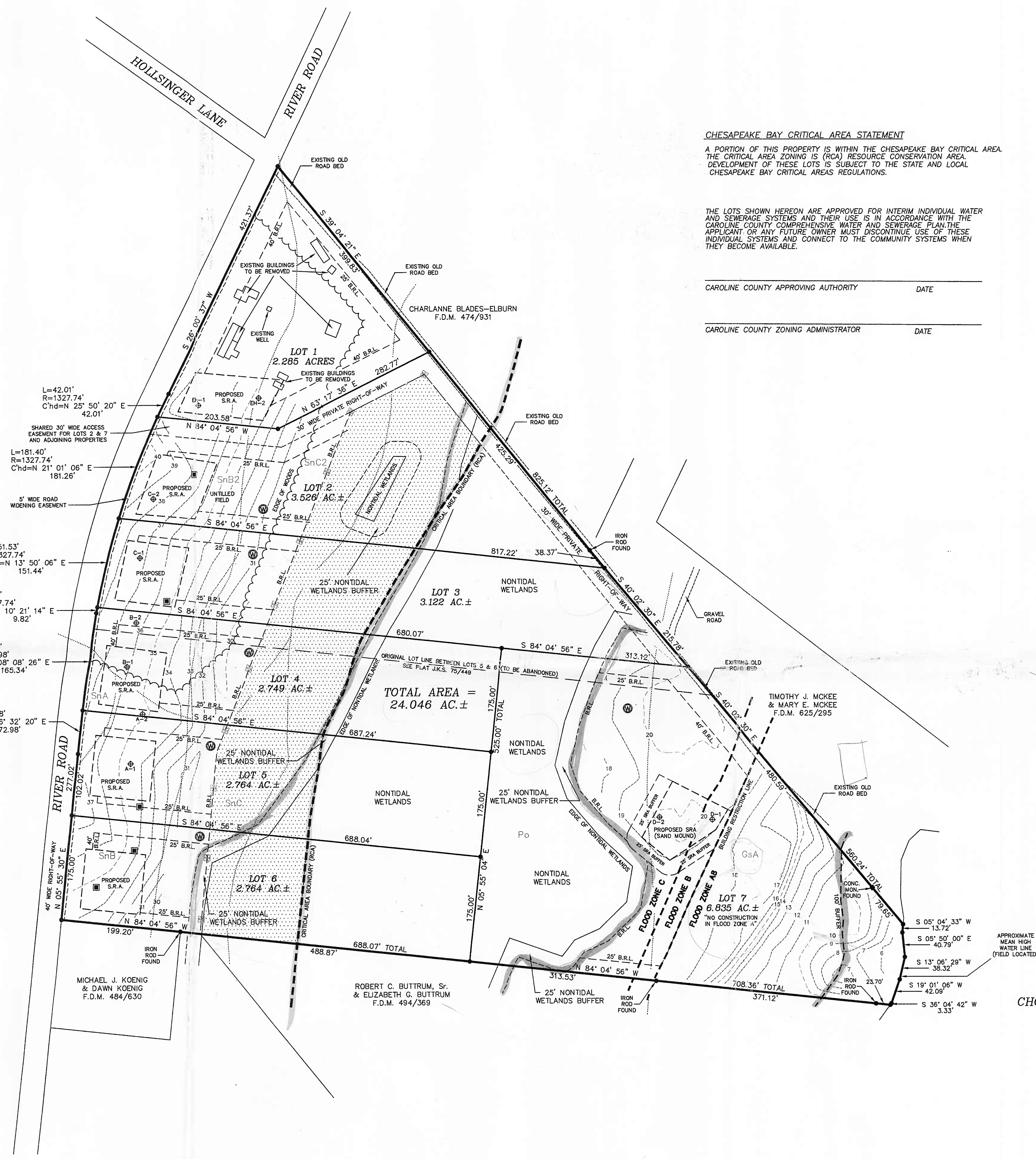
Thank you for the opportunity to review this project. If you have any comments or questions please contact me directly at 410-260-3476.

Best regards,

A handwritten signature in black ink, appearing to be 'C. Clark', written in a cursive style.

Chris Clark
Natural Resources Plan

cc: CR 465-06



CHESAPEAKE BAY CRITICAL AREA STATEMENT

A PORTION OF THIS PROPERTY IS WITHIN THE CHESAPEAKE BAY CRITICAL AREA. THE CRITICAL AREA ZONING IS (RCA) RESOURCE CONSERVATION AREA. DEVELOPMENT OF THESE LOTS IS SUBJECT TO THE STATE AND LOCAL CHESAPEAKE BAY CRITICAL AREAS REGULATIONS.

THE LOTS SHOWN HEREON ARE APPROVED FOR INTERIM INDIVIDUAL WATER AND SEWERAGE SYSTEMS AND THEIR USE IS IN ACCORDANCE WITH THE CAROLINE COUNTY COMPREHENSIVE WATER AND SEWERAGE PLAN. THE APPLICANT OR ANY FUTURE OWNER MUST DISCONTINUE USE OF THESE INDIVIDUAL SYSTEMS AND CONNECT TO THE COMMUNITY SYSTEMS WHEN THEY BECOME AVAILABLE.

CAROLINE COUNTY APPROVING AUTHORITY _____ DATE _____

CAROLINE COUNTY ZONING ADMINISTRATOR _____ DATE _____

WE, THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, CONSENT TO AND ADOPT THIS PLAN OF SUBDIVISION AND ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES. WE HEREBY DEDICATE TO PUBLIC USE ALL ROADS, STREETS, WALKWAYS AND OPEN SPACE SHOWN HEREON, UNLESS OTHERWISE NOTED ON THIS PLAN. WE CERTIFY THAT THERE ARE NO SUITS, ACTIONS OF LAW, LEASES, LIENS, MORTGAGES, TRUSTS, EASEMENTS, OR RIGHTS-OF-WAY AFFECTING THE PROPERTY INCLUDED IN THIS PLAN OF SUBDIVISION, EXCEPT AS HEREIN INDICATED.

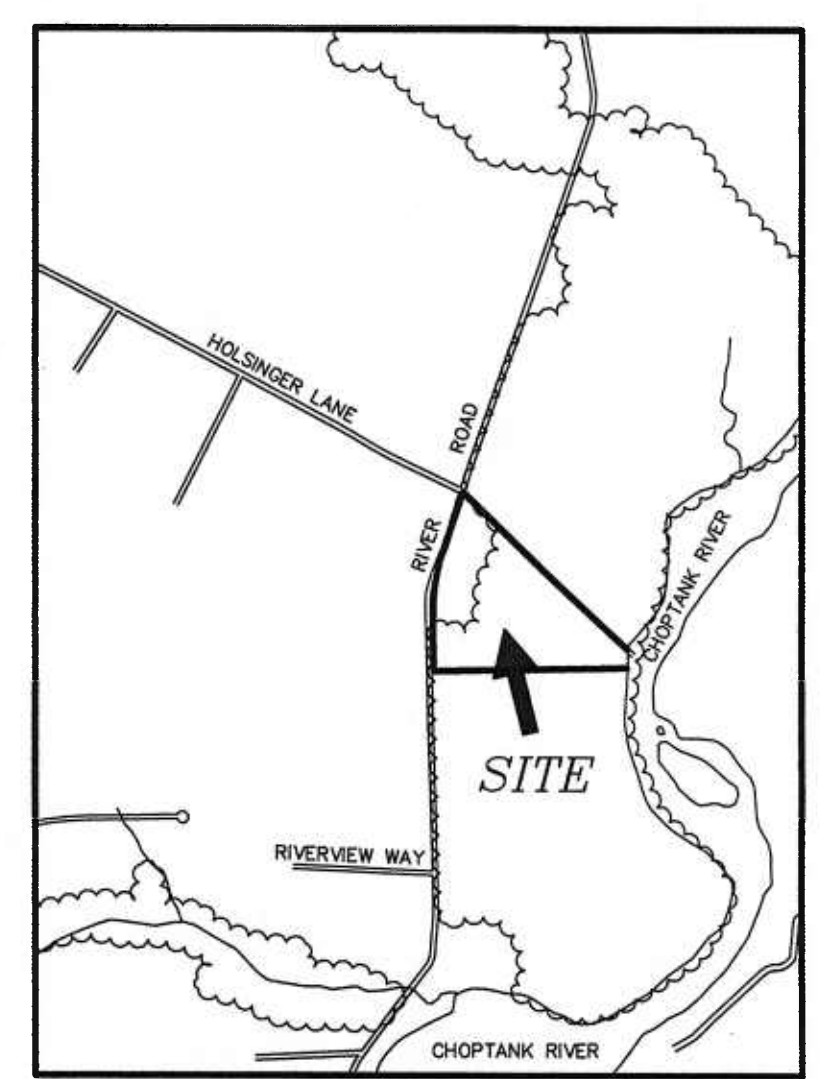
AND THAT THE REQUIREMENTS OF THE ANNOTATED CODE OF MARYLAND, REAL PROPERTY ARTICLE, SECTION 3-108, AS ENACTED OR AMENDED SO FAR AS IT MAY CONCERN THE MARKING OF THIS PLAN AND THE SETTING OF MONUMENT AND MARKERS HAVE BEEN COMPLIED WITH TO THE BEST OF MY KNOWLEDGE, AND TO THE POINTS SET IN THE FIELD AS INDICATED HEREON.

WE, THE OWNERS OF THE PROPERTY SHOWN HEREON, DO HEREBY AGREE TO THE POSITION OF THE PROPERTY LINES AS ESTABLISHED BY THIS PLAN, AND TO THE POINTS SET IN THE FIELD AS INDICATED HEREON.

CCB-CDG, LLC

THE OWNER HAS SWORN TO AND SUBSCRIBED BEFORE ME THIS _____ DAY OF _____, 20____

MY COMMISSION EXPIRES _____



VICINITY MAP
SCALE 1" = 1500'

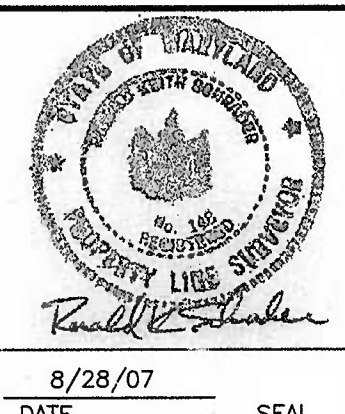
GENERAL NOTES:

- 1. PROPERTY LOCATED ON TAX MAP 23, GRID 21, PARCEL 109.
- 2. FOR CURRENT DEED REFERENCE SEE LIBER 653, FOLIO 461.
- 3. OWNER/SUBDIVIDER: CCB-CDG, LLC, P.O. BOX 236, CHESTER, MD, 21619
- 4. THE ZONING CLASSIFICATION IS R (RURAL).
- 5. BUILDING RESTRICTION LINES AS SHOWN HEREON ARE MINIMUM.
- 6. THE PROPERTY SHOWN HEREON IS IN FLOOD ZONES AB, B & C AS SHOWN ON THE FLOOD INSURANCE RATE MAP. COMMUNITY PANEL NUMBER 240130 0165 B DATED OCTOBER 15, 1980. VERTICAL DATUM SHOWN HEREON WAS BASED UPON RM-25 AS SHOWN ON THE FLOOD INSURANCE RATE MAP. FLOOD PLAN LEGEND:
 - A 100 YEAR FLOOD ZONE
 - B 500 YEAR FLOOD ZONE
 - C AREA OF MINIMAL FLOODING
- 7. THIS SUBDIVISION IS IN AN AGRICULTURAL AREA AND EACH LOT OWNER, ITS SUCCESSORS OR ASSIGNS, SHALL HAVE NO BASIS FOR RECOURSE AGAINST THE EFFECTS OF ANY NORMAL FARMING OPERATIONS CONDUCTED IN ACCORDANCE WITH GOOD HUSBANDRY PRACTICES WHICH MAY CAUSE SOME INTERFERENCE WITH THE USE AND ENJOYMENT OF THE PROPERTY. THESE EFFECTS INCLUDE BUT ARE NOT LIMITED TO NOISE, ODOR, VIBRATION, FUMES, DUST OR GLARE. THE LOT OWNER SHALL ACCEPT THE LIMITATIONS ON USE AND ENJOYMENT AFFECTING THE PROPERTY.
- 8. TIDAL AND/OR NON-TIDAL WETLANDS MAY EXIST ON THIS PROPERTY. IT IS THE RESPONSIBILITY OF THE LANDOWNER AND/OR DEVELOPER TO COMPLY WITH ALL APPLICABLE FEDERAL, STATE AND LOCAL LAWS AND PERMITS FOR WETLANDS.
- 9. NON-TIDAL WETLANDS SHOWN HEREON WERE FIELD DELINEATED BY THE STATE OF MARYLAND DEPT. OF THE ENVIRONMENT AND FIELD LOCATED BY R. K. SCHRADER LAND SURVEYS, LLC.
- 10. THE PROPERTIES SHOWN HEREIN ARE SUBJECT TO FOREST CONSERVATION PLAN - FCP# CO-06-36, RECORDED IN THE PLAT RECORDS OF CAROLINE COUNTY, MARYLAND IN PLAT BOOK _____, PLAT No. _____, IN ACCORDANCE WITH COMAR 08.06.
- 11. THIS DEVELOPMENT MAY CONTAIN PROTECTED HABITAT OF THE DELMARVA FOX SQUIRREL (DFS) LISTED AS AN ENDANGERED SPECIES UNDER THE ENDANGERED SPECIES ACT AS AMENDED, UNITED STATES CODE. REGULATIONS DESIGNED TO PROTECT THE DFS AND ITS HABITAT ARE ADMINISTERED BY THE U.S. DEPARTMENT OF THE INTERIOR, FISH AND WILDLIFE DIVISION. AS THE APPLICANTS FOR THIS DEVELOPMENT ACTIVITY, WE UNDERSTAND THAT THE FINAL AUTHORITY FOR ALL DETERMINATIONS CONCERNING THE EFFECT OF THE PROPOSED DEVELOPMENT ON THE DFS AND ITS HABITAT RESTS WITH THE U.S. DEPARTMENT OF THE INTERIOR, FISH & WILDLIFE DIVISION. WE 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 DIVISION.
- 12. NO PARCELS HAVE BEEN SUBDIVIDED AND/OR CONVEYED FROM THE ORIGINAL TRACT AND/OR PARCEL SINCE DEC. 1, 1972.
- 13. THIS PLAN WAS PREPARED WITHOUT THE BENEFIT OF REVIEW OF AN ABSTRACT OF TITLE.
- 14. B.R.L. DENOTES BUILDING RESTRICTION LINE.
- 15. (X) DENOTES PROPOSED WELL.
- 16. (I) DENOTES IRON ROD SET UNLESS OTHERWISE SPECIFIED.
- 17. ALL LOTS ARE APPROVED FOR A MAXIMUM 4 BEDROOM HOME (600 Gal./Day, design flow)(+/-3500 Sq.Ft.) UNLESS SPECIFIED OTHERWISE.
- 18. IN GROUND SWIMMING POOLS ARE NOT PERMITTED LESS THAN 25' FROM SEPTIC RESERVE AREA.
- 19. NO PERMANENT STRUCTURES ARE PERMITTED IN THE SEPTIC RESERVE AREA.
- 20. ALL SEPTIC RESERVE AREAS SHOWN HEREON ARE 10,000 Sq. Ft..

I HEREBY CERTIFY THAT THE FINAL PLAT SHOWN HEREON IS CORRECT; THAT IT IS A SUBDIVISION OF THE LANDS CONVEYED FROM JAMES E. PATRICK AND PENNY LEE PATRICK TO CCB-CDG, LLC BY DEED DATED DECEMBER 15, 2005 AND RECORDED IN THE LAND RECORDS OF CAROLINE COUNTY, MARYLAND IN LIBER 653, FOLIO 461 AND THAT THE REQUIREMENTS OF THE CAROLINE COUNTY SUBDIVISION REGULATIONS AND THE ANNOTATED CODE OF MARYLAND, REAL PROPERTY ARTICLE, SECTION 3-108, AS ENACTED OR AMENDED, SO FAR AS THEY MAY CONCERN THE MAKING OF THIS PLAN AND THE SETTING OF MONUMENTS AND MARKERS HAVE BEEN COMPLIED WITH.

Ronald K. Schrader
RONALD K. SCHRADER
REGISTERED PROPERTY LINE SURVEYOR No. 148
120 EVELYN LANE
CHESTERTOWN, MARYLAND 21620
8/28/07
DATE

- (Stippled Area) DENOTES PROTECTED FOREST RETENTION AREA (3.81 AC. - SEE SHEET 2 OF 2)
- (Dashed Line) DENOTES FOREST RETENTION AREA PROTECTIVE SIGN
- (Square with X) DENOTES PERCOLATION TEST PIT



R. K. SCHRADER
Land Surveys, LLC
120 EVELYN LANE
CHESTERTOWN, MARYLAND 21620
PHONE No. 1-410-778-0364
E-MAIL: rkssurveys@hotmail.com

DATE	REVISION
11-9-06	ADDRESS STATE & COUNTY COMMENTS
8-28-07	REVISE FCA & ADD LOT 6

MINOR SUBDIVISION & LINE REVISION
OF THE LANDS OF
CCB-CDG, LLC
IN THE SEVENTH ELECTION DISTRICT,
TAX MAP 23, GRID 21, PARCEL 109
CAROLINE COUNTY, MARYLAND

DATE	SCALE
4-23-06	1"=100'

JOB No.	DRAWN BY
Cohee	RKS

FOLDER Ref.	DESIGNED BY
Cohee	RKS

SHEET No. - 1 of 2
CADD FILE - Cohee