

TC 238-06 Harleigh Farm, LLC
Site Plan 983

MSA.S. 1829-6084

Comments 5/19/06-106
Comments 9/13/06-106

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/

September 12, 2006

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

Re: L983 Harleigh-Revised

Dear Ms. Verdery:

Thank you for providing information on the above referenced lot line revision. The applicant is proposing to revise the lot lines on two existing parcels of record. The properties are designated as Resource Conservation Areas (RCA) and both are currently developed with single family dwellings and multiple accessory structures.

Based on the information provided, it appears that the applicant has addressed our previous concerns relating to the calculation of impervious surface area limits. We have no further concerns regarding the lot line revision and abandonment as proposed.

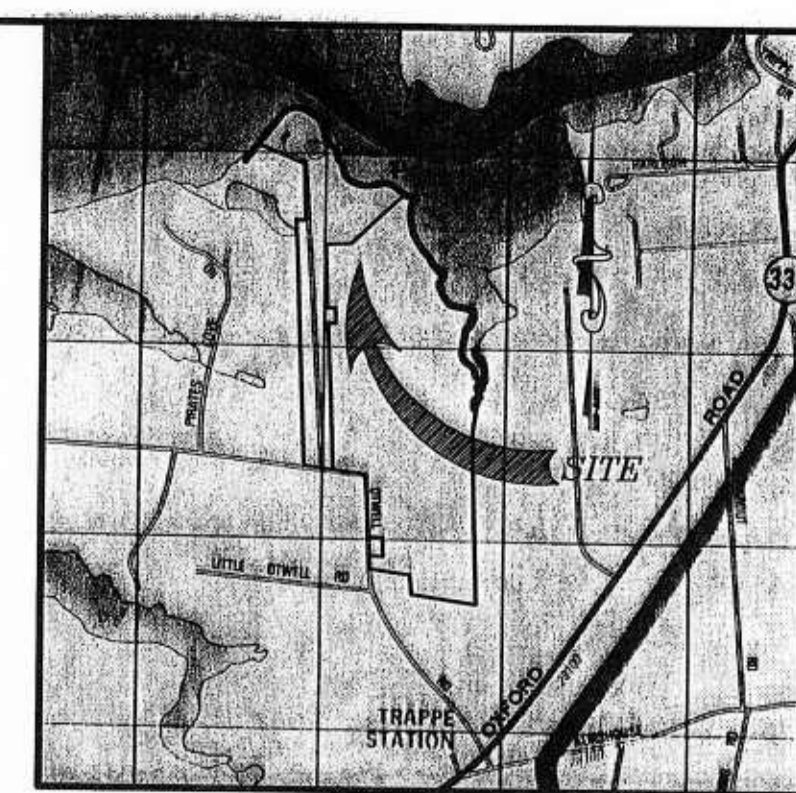
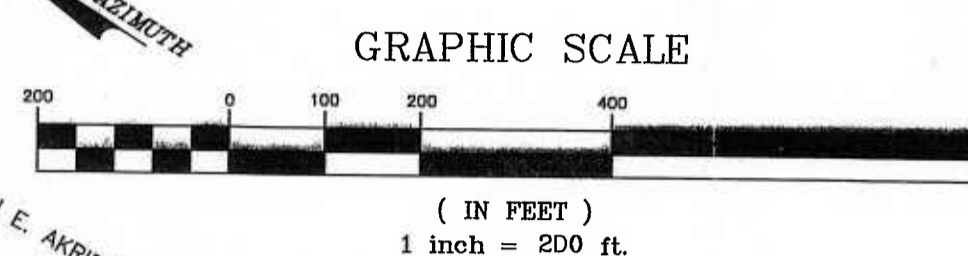
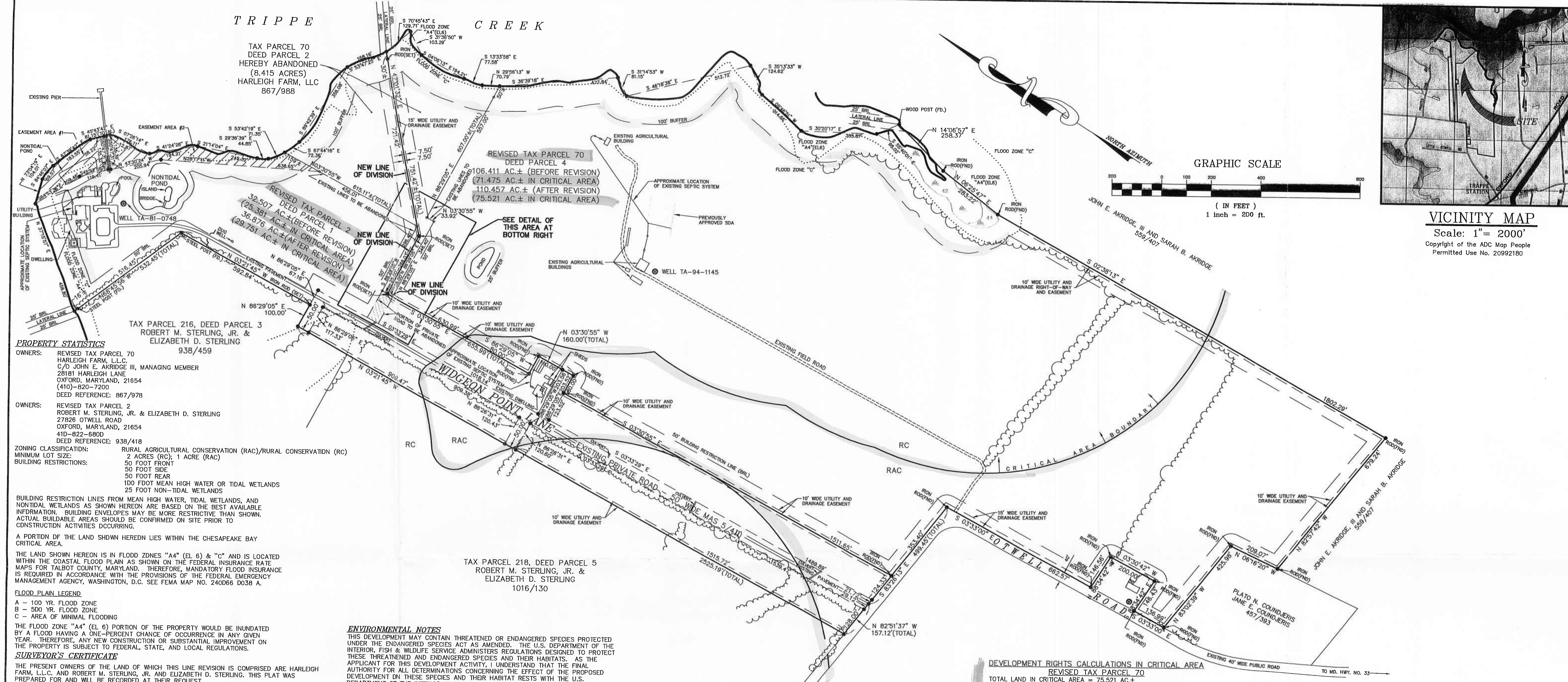
Thank you for the opportunity to provide comments on this minor lot line revision. If you have any questions, please contact me at 410-260-3482.

Sincerely,

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

Kerrie L. Gallo
Natural Resource Planner
TC238-06

TRIPPE CREEK



VICINITY MAP
Scale: 1" = 2000'
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PROPERTY STATISTICS
 OWNERS: REVISED TAX PARCEL 70 HARLEIGH FARM, L.L.C. C/O JOHN E. AKRIDGE III, MANAGING MEMBER 2818 HARLEIGH LANE, OXFORD, MARYLAND, 21654 (410)-820-7200 DEED REFERENCE: 867/978
 OWNERS: REVISED TAX PARCEL 2 ROBERT M. STERLING, JR. & ELIZABETH D. STERLING 27126 OTTELL ROAD, OXFORD, MARYLAND, 21654 410-822-6800 DEED REFERENCE: 938/418
 ZONING CLASSIFICATION: RURAL AGRICULTURAL CONSERVATION (RAC)/RURAL CONSERVATION (RC)
 MINIMUM LOT SIZE: 2 ACRES (RC), 1 ACRE (RAC)
 BUILDING RESTRICTIONS: 50 FOOT FRONT, 50 FOOT SIDE, 100 FOOT MEAN HIGH WATER OR TIDAL WETLANDS, 25 FOOT NON-TIDAL WETLANDS

BUILDING RESTRICTION LINES FROM MEAN HIGH WATER, TIDAL WETLANDS, AND NONTIDAL WETLANDS AS SHOWN HEREON ARE BASED ON THE BEST AVAILABLE INFORMATION. BUILDING ENVELOPES MAY BE MORE RESTRICTIVE THAN SHOWN. ACTUAL BUILDABLE AREAS SHOULD BE CONFIRMED ON SITE PRIOR TO CONSTRUCTION ACTIVITIES OCCURRING.
 A PORTION OF THE LAND SHOWN HEREON LIES WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
 THE LAND SHOWN HEREON IS IN FLOOD ZONES "A4" (EL 6) & "C" AND IS LOCATED WITHIN THE COASTAL FLOOD PLAN AS SHOWN ON THE FEDERAL INSURANCE RATE MAPS FOR TALBOT COUNTY, MARYLAND. THEREFORE, MANDATORY FLOOD INSURANCE IS REQUIRED IN ACCORDANCE WITH THE PROVISIONS OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, WASHINGTON, D.C. SEE FEMA MAP NO. 240666 0038 A.

FLOOD PLAN LEGEND
 A - 100 YR. FLOOD ZONE
 B - 500 YR. FLOOD ZONE
 C - AREA OF MINIMAL FLOODING
 THE FLOOD ZONE "A4" (EL 6) 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.

SURVEYOR'S CERTIFICATE
 THE PRESENT OWNERS OF THE LAND OF WHICH THIS LINE REVISION IS COMPRISED ARE HARLEIGH FARM, L.L.C. AND ROBERT M. STERLING, JR. AND ELIZABETH D. STERLING. THIS PLAT WAS PREPARED FOR AND WILL BE RECORDED AT THEIR REQUEST.

I, THOMAS D. LANE, HEREBY CERTIFY THAT THE FINAL PLAT SHOWN HEREON IS CORRECT; THAT IT IS A LINE REVISION OF THE LAND CONVEYED BY JOHN R. ROBISON, TRUSTEE UNDER TRUST AGREEMENT OF SYLVIA B. ROBISON TO HARLEIGH FARM, L.L.C. BY DEED DATED OCTOBER 1, 1977, AND RECORDED AMONG THE LAND RECORDS OF TALBOT COUNTY, MARYLAND IN LIBER 867, FOLIO 978, AND THE LAND CONVEYED BY WIDGEON POINT, L.L.C. TO WIDGEON POINT FARM, L.L.C., HARLEIGH FARM, L.L.C. AND AKRIDGE DC RESIDENCE, INC. TO ROBERT M. STERLING, JR. AND ELIZABETH D. STERLING BY DEED DATED JULY 29, 1999 AND RECORDED AMONG THE LAND RECORDS OF TALBOT COUNTY, MARYLAND IN LIBER 938, FOLIO 418. AND THAT ALL MONUMENTS ARE IN PLACE.

THIS LINE REVISION PLAT HAS BEEN PREPARED BY THE LICENSEE EITHER PERSONALLY OR UNDER THEIR DIRECTION AND SUPERVISION AND COMES WITH THE REQUIREMENTS AS SET FORTH IN REGULATION .12 OF THE MARYLAND MINIMUM STANDARDS FOR SURVEYORS.

THOMAS D. LANE, PROPERTY LINE SURVEYOR NO. 340, 117 BAY STREET, P.O. BOX 1767, EASTON, MARYLAND 21601 (410)822-8003

PROPERTY OWNER DECLARATION
 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 NONTIDAL WETLANDS SHOWN ON THIS APPLICATION IS BASED UPON THE FEDERAL MANUAL FOR IDENTIFYING AND DELINEATING JURISDICTIONAL WETLANDS. AS THE APPLICANT OF THIS DEVELOPMENT PROJECT, I UNDERSTAND THAT THE FINAL AUTHORITY FOR ALL NONTIDAL WETLANDS DELINEATIONS AND REGULATIONS FOR LANDS IN THE CRITICAL AREA RESTS WITH THE U.S. ARMY CORPS OF ENGINEERS. I ALSO UNDERSTAND THAT COUNTY APPROVAL OF THIS DEVELOPMENT PROJECT DOES NOT EXEMPT THIS PROJECT FROM OBTAINING PERMITS AND APPROVALS WHICH MAY BE REQUIRED BY THE U.S. ARMY CORPS OF ENGINEERS.

HARLEIGH FARM, L.L.C., OWNER OF REVISED TAX PARCEL 70, AND ROBERT M. STERLING, JR. AND ELIZABETH D. STERLING, OWNERS OF REVISED TAX PARCEL 2, AS SHOWN AND DESCRIBED HEREON, HEREBY ADOPT THIS LINE REVISION.

HARLEIGH FARM, L.L.C. DATE _____
 C/O JOHN E. AKRIDGE III, AUTHORIZED MEMBER
 THE OWNER HAS SWORN TO AND SUBSCRIBED BEFORE ME THIS _____ DAY OF _____, 2006.
 NOTARY

ROBERT M. STERLING, JR. DATE _____
 THE OWNER HAS SWORN TO AND SUBSCRIBED BEFORE ME THIS _____ DAY OF _____, 2006.
 NOTARY

ELIZABETH D. STERLING DATE _____
 THE OWNER HAS SWORN TO AND SUBSCRIBED BEFORE ME THIS _____ DAY OF _____, 2006.
 NOTARY

ENVIRONMENTAL NOTES
 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 PROPOSED 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.

REASONABLE EFFORT WILL BE MADE TO LIMIT CONSTRUCTION IN FOREST HABITAT AREAS TO THE NON-BREEDING SEASON FOR FOREST INTERIOR DWELLING BIRDS (SEPTEMBER-APRIL). CONSTRUCTION WILL BE DESIGNED TO MINIMIZE FOREST CLEARING AND MAINTAIN A CLOSED CANOPY OVER DRIVEWAYS IF POSSIBLE.

ANY CUTTING AND CLEARING OF TREES WITHIN TALBOT COUNTY IS SUBJECT TO REVIEW BY THE TALBOT COUNTY PLANNING OFFICE. PLEASE CONTACT THE TALBOT COUNTY OFFICE OF PLANNING AND ZONING (410-770-8030) FOR MORE INFORMATION.

THE 100 FOOT SHORELINE DEVELOPMENT BUFFER AS SHOWN ON REVISED TAX PARCEL 70 SHALL BE ESTABLISHED IN THREE TIER NATURAL VEGETATION UPON CHANGE OF LAND USE. A FOREST PRESERVATION PLAN SHALL BE SUBMITTED TO THE TALBOT COUNTY OFFICE OF PLANNING AND ZONING FOR REVIEW AND APPROVAL.

REMOVAL OF NATURAL VEGETATION WITHIN THE 100 FOOT SHORELINE DEVELOPMENT BUFFER IS PROHIBITED.

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, AND DRIFT OF HERBICIDES OR CHEMICALS. THE LOT OWNER ACCEPTS THE LIMITATIONS ON USE AND ENJOYMENT AFFECTING THE PROPERTY.

ANY LAND CLEARING, GRADING OR OTHER EARTH DISTURBANCE WITHIN THE UNINCORPORATED AREAS OF TALBOT COUNTY SHALL REQUIRE AN EROSION AND SEDIMENT CONTROL PLAN, APPROVED BY THE TALBOT COUNTY SOIL 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 & 26.09.D1.D5

THIS AREA IS KNOWN AS A WATERFOWL STAGING AREA AND AS SUCH, PROPOSED CONSTRUCTION OF PIERS AS PERMITTED BY TALBOT COUNTY WILL BE SUBJECT TO REVIEW BY THE ARMY CORP OF ENGINEERS, MARYLAND DEPARTMENT OF THE ENVIRONMENT AND THE CHESAPEAKE BAY CRITICAL AREA COMMISSION. A TIME LIMITATION MAY BE IMPOSED ON THE ACTUAL CONSTRUCTION PERIOD.

THE WETLAND AREAS AND CRITICAL AREA BOUNDARY AS SHOWN HEREON WERE TAKEN FROM DNR WETLANDS MAP NO. 77.

WETLAND CLASSIFICATION TABLE		
CLASSIFICATION	OWNERSHIP	AREA
42	PRIVATE	1.583 AC.±
44	PRIVATE	0.123 AC.±

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

HEALTH OFFICER - TALBOT COUNTY DATE _____
 THE LOCATION AND SIZE OF THE SEPTIC SYSTEMS FOR THE EXISTING DWELLINGS AS WELL AS AGRICULTURAL BUILDINGS AS SHOWN HEREON ARE BASED ON BEST AVAILABLE INFORMATION.

TALBOT COUNTY OFFICE OF PLANNING AND ZONING
 THIS PLAT REPRESENTS A LINE REVISION ON THE LAND OF HARLEIGH FARM, L.L.C., ROBERT M. STERLING, JR. AND ELIZABETH D. STERLING AND THE ABANDONMENT OF TAX PARCEL 70, DEED PARCEL 2 AND A PORTION OF WIDGEON POINT LANE AS PREVIOUSLY RECORDED AMONG THE PLAT RECORDS OF TALBOT COUNTY AT MAS 5, 418, AND DOES NOT CONSTITUTE ANY NEW BUILDABLE LOTS UNDER THE TERMS OF THE TALBOT COUNTY ZONING ORDINANCE.

PLANNING OFFICER - TALBOT COUNTY DATE _____

TALBOT COUNTY DEPARTMENT OF PUBLIC WORKS
 A UTILITY AND DRAINAGE RIGHT-OF-WAY AND EASEMENT SHALL BE PROVIDED IN AND OVER STRIPS OF LAND FIFTEEN (15) FEET IN WIDTH ALONG THOSE BOUNDARY LINES CONTIGUOUS TO ANY ROAD, 15' IN WIDTH (7.5' EITHER SIDE) CENTERED ON ALL NEW LINES OF DIVISION, AND 10' IN WIDTH ALONG EXISTING BOUNDARY LINES (ENTIRELY ON SUBJECT LANDS) NOT CONTIGUOUS TO ANY ROAD.

THESE LOTS SHALL BE DEVELOPED IN ACCORDANCE WITH THE '2000 MARYLAND STORM WATER DESIGN MANUAL', AND THE TALBOT COUNTY STORMWATER MANAGEMENT CODE.

WIDGEON POINT LANE, EXISTING 50' WIDE PRIVATE ROAD, IS PRIVATELY OWNED AND AS SUCH, THE COUNTY HAS NO RESPONSIBILITY FOR ITS MAINTENANCE OR SAFETY. WIDGEON POINT LANE IS OWNED AND MAINTAINED BY THE OWNER OF REVISED TAX PARCEL 2, AND MAY BE UTILIZED BY THE OWNERS OF REVISED TAX PARCEL 70 (DEED PARCEL 4), REVISED PARCEL 2 (DEED PARCEL 1), TAX PARCEL 216 (DEED PARCEL 3), AND TAX PARCEL 218 (DEED PARCEL 5), (1016/130).

DEVELOPMENT RIGHTS CALCULATIONS IN CRITICAL AREA
 REVISED TAX PARCEL 70
 TOTAL LAND IN CRITICAL AREA = 75.521 AC.±
 TOTAL AREA TAKEN OUT FOR STATE OWNED WETLANDS = D AC.
 AREA USED TO CALCULATE DEVELOPMENT RIGHTS = 75.521 AC.±
 DEVELOPMENT RIGHTS AVAILABLE = 3 @ 1 DU/20 AC.
 DEVELOPMENT RIGHTS PREVIOUSLY UTILIZED = 1
 DEVELOPMENT RIGHTS REMAINING = 2

DEVELOPMENT RIGHTS CALCULATIONS IN NONCRITICAL AREA
 REVISED TAX PARCEL 70
 TOTAL LAND IN NONCRITICAL AREA = 34.936 AC.±
 NONCRITICAL AREA DEVELOPMENT RIGHTS AVAILABLE = 4 @ 1 DU/20 AC. + 3 DU'S (RURAL SUBDIVISION)
 NONCRITICAL AREA DEVELOPMENT RIGHTS PREVIOUSLY UTILIZED = D
 NONCRITICAL AREA DEVELOPMENT RIGHTS REMAINING = 4

DEVELOPMENT RIGHTS CALCULATIONS IN CRITICAL AREA
 REVISED TAX PARCEL 2
 TOTAL LAND IN CRITICAL AREA = 29.751 AC.±
 TOTAL AREA TAKEN OUT FOR STATE OWNED WETLANDS = D.144 AC.±
 AREA USED TO CALCULATE DEVELOPMENT RIGHTS = 29.607 AC.±
 DEVELOPMENT RIGHTS AVAILABLE = 1 @ 1 DU/20 AC.
 DEVELOPMENT RIGHTS PREVIOUSLY UTILIZED = 1
 DEVELOPMENT RIGHTS REMAINING = 0

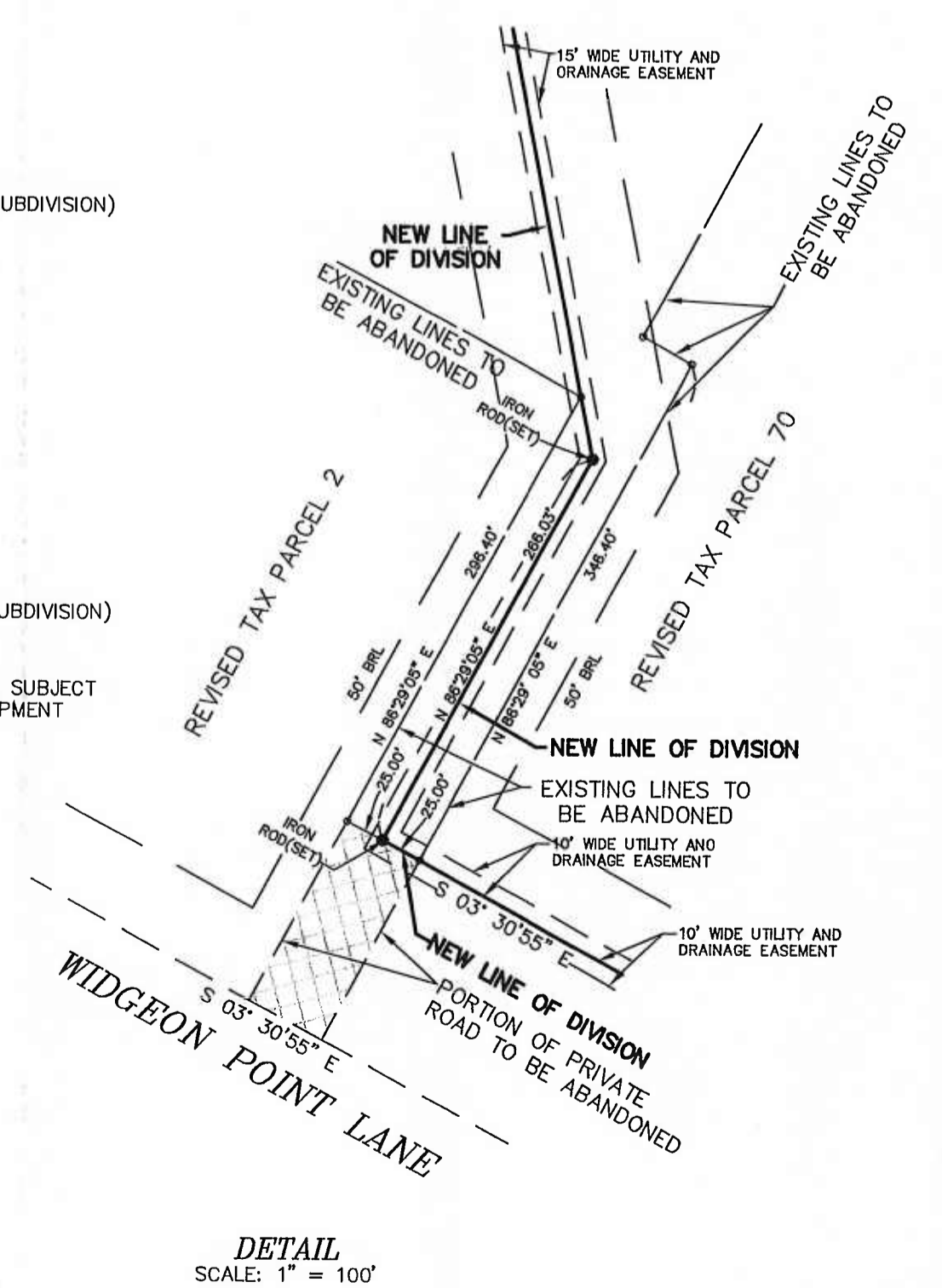
DEVELOPMENT RIGHTS CALCULATIONS IN NONCRITICAL AREA
 REVISED TAX PARCEL 2
 TOTAL LAND IN NONCRITICAL AREA = 7.125 AC.±
 NONCRITICAL AREA DEVELOPMENT RIGHTS AVAILABLE = 3 @ 1 DU/20 AC. + 3 DU'S (RURAL SUBDIVISION)
 NONCRITICAL AREA DEVELOPMENT RIGHTS PREVIOUSLY UTILIZED = 1
 NONCRITICAL AREA DEVELOPMENT RIGHTS REMAINING = 2

DEVELOPMENT RIGHTS SHOWN HEREON ARE BASED UPON CURRENT REGULATIONS AND MAY BE SUBJECT TO CHANGE BASED ON ZONING ORDINANCE REGULATIONS IN EFFECT AT THE TIME OF DEVELOPMENT ACTIVITY.

IMPERVIOUS AREA CALCULATIONS IN CRITICAL AREA
 REVISED TAX PARCEL 70
 TOTAL LAND IN CRITICAL AREA = 75.521 AC.± OR 3,289,695 SQ.FT.
 AREA TAKEN OUT FOR STATE OWNED WETLANDS = 0 AC.
 IMPERVIOUS AREA ALLOTMENT = 493,454 SQ.FT.(15% OF 75.521 AC.±)
 IMPERVIOUS AREA UTILIZED = 25,732 SQ.FT.
 REMAINING ALLOWABLE IMPERVIOUS AREA = 467,722 SQ.FT.
 REVISED TAX PARCEL 2
 TOTAL LAND IN CRITICAL AREA = 29.751 AC.± OR 1,295,954 SQ.FT.
 AREA TAKEN OUT FOR STATE OWNED WETLANDS = 0.144 AC.±
 IMPERVIOUS AREA ALLOTMENT = 193,452 SQ.FT.(15% OF 29.607 AC.±)
 IMPERVIOUS AREA UTILIZED = 90,929 SQ.FT.
 REMAINING ALLOWABLE IMPERVIOUS AREA = 102,523 SQ.FT.

FOREST CALCULATIONS
 REVISED TAX PARCEL 70
 EXISTING FOREST IN CRITICAL AREA = 4.275 AC.±
 EXISTING FOREST IN NON-CRITICAL AREA = 12.834 AC.±
 REVISED TAX PARCEL 2
 EXISTING FOREST IN CRITICAL AREA = 2.208 AC.±
 EXISTING FOREST IN NON-CRITICAL AREA = 0.558 AC.±

EXISTING EASEMENT AREA #1 & #2. SEE PLAT MAS 5/4 I I AND LIBER 938, FOLIO 420, #7 AND #8 FOR DESCRIPTION AND MAINTENANCE OF EASEMENT AREAS 1 AND 2.



Lane Engineering, Inc.
 Civil Engineers - Land Planning - Land Surveyors
 117 Bay St. Easton, MD 21601-0165 (410) 822-2024 FAX (410) 476-9942
 15 Washington St. Cambridge, MD 21613 (410) 822-2024
 1148 West Water St. Centreville, MD 21817 (410) 756-2088 FAX (410) 756-4422

RECEIVED
 AUG 2 2006
 CRITICAL AREA COMMISSION #2
 Chesapeake & Atlantic Coastal Plains, II

DATE NOV. 4, 2004
 SCALE 1" = 200'
 USB NO. C-0905
 DRAWN BY J.W.B.
 DWS. NAME C-0905SLRT
 APPROVED T.D.L.
 LINE REVISION ON THE LAND OF HARLEIGH FARM, L.L.C., ROBERT M. STERLING, JR. & ELIZABETH D. STERLING
 TALEXMAP 48 GRID 7 PARCELS 2 & 70
 SHEET No. 1 OF 1
 FILE No. A107

10/11/06 TAC

Robert L. Ehrlich, Jr.
Governor

Michael S. Steele
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May 9, 2006

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

Re: L983 Harleigh

Dear Ms. Verdery:

Thank you for providing information on the above referenced lot line revision. The applicant is proposing to revise the lot lines on two existing parcels of record. The properties are designated as Resource Conservation Areas (RCA) and both are currently developed with single family dwellings and multiple accessory structures.

Based on the information provided, it appears that no new development is proposed in conjunction with the lot line revision. As a result, we generally have no concerns regarding the applicant's proposal. However, we note that the impervious surface area calculations for revised Tax Parcel 70 appear incorrect. Specifically, the 15% impervious surface area limit should be 493,454 square feet, with a remaining impervious surface area of 467,722 square feet.

Thank you for the opportunity to provide comments on this minor lot line revision. If you have any questions, please contact me at 410-260-3482.

Sincerely,

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

Kerrie L. Gallo
Natural Resource Planner
TC827-04