

CA 0135-07
SUB

St. Jeromes Creek
SD 06-17

51829-6467

Comments 3/20/07 KJL
" 9/22/08 RBA

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/

August 22, 2008

Ms. Olivia Vidotto
Calvert County Department of Planning and Zoning
150 Main Street
Prince Frederick, Maryland 20678

Re: St. Jerome's Creek/Blackwell SD 06-17

Dear Ms Vidotto:

Thank you for forwarding information regarding the above-referenced subdivision application. The applicant proposes to subdivide an existing 1.846 acre parcel into four lots. The property is within the Critical Area and it is classified as a Limited Development Area (LDA). The property is currently undeveloped and no development of the property is proposed at this time. The applicant has addressed some of this office's comments from our March 20, 2008 and June 30, 2008 letters. I have provided my remaining comment below:

1. Formerly, a new subdivision within the Critical Area must comply with the impervious surface area limits within the State Law and Calvert County Ordinance 8-1.04G.1.f. As you are aware, the Legislature has replaced impervious surfaces with lot coverage limits. During an interim period, a combination of impervious surfaces from your current regulations can apply as long as lot coverage accounting is provided. The following explanation summarizes the interim period requirements. Section 8, Ch. 119, 2008 Laws of Maryland at 765, contains provisions in regard to the lot coverage requirements of Natural Resources Article §8-1808.3 which may be applicable to this subdivision. Under these provisions, a development project whose initial application for development that satisfies all local requirements is filed by October 1, 2008 and whose development plan is approved (recorded) by July 1, 2010 may utilize Calvert County's approved impervious surface area limitations in effect prior to July 1, 2008 provided that:
 - a) The approved development plan remains valid in accordance with Calvert County's procedures and requirements; and
 - b) By July 1, 2010, the applicant prepares a detailed lot coverage plan drawn to scale and showing the amounts of impervious surface area, partially pervious area, and developed pervious surface area in the development project.


In addition to (a) and (b) above, Section 8, Ch. 119, 2008 Laws of Maryland at 765 requires the lot coverage plan to be approved by Calvert County and implemented in accordance with the approved lot coverage plan. Should the applicant intend to develop this subdivision in accordance with the County's impervious surface area limitations, please indicate that intent and ensure that the

Ms. Vidotto
August 21, 2008
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applicant is aware of the requirements of Chapter 119 of the 2008 Laws of Maryland for proceeding as such.

Thank you for the opportunity to provide comments. Please feel free to contact me at (410) 260-3468 if you have any questions.

Sincerely,


Roby Hurley

Roby Hurley
Natural Resource Planner
CA 135-07

NOTES:

1. A perpetual easement is provided for the widening, future widening and/or construction and maintenance of the area adjacent to the right-of-way lines of the public roadways shown hereon in accordance with the RD-4, typical road sections per the Calvert County Road Ordinance and Design Standards as currently amended and in effect at the time of approval for recordation of this plat. This easement shall include all storm drainage structures and appurtenances, excavation and construction of driveway entrances and approach roads, street intersections, gutters, swale ditches, berm ditches, flumes and any other construction applicable to said widening, all as shown on the plat of subdivision.
2. Parcel 222 consists of 1.846 Acres (80,408 Sq.Ft.) and is located within the Solomon's Town Center, Subdistrict E-1. As per the Solomon's Zoning Ordinance, Page VII-123 Article D.2.a: "The maximum density for residential uses shall average no more than one unit per acre unless Transferable Development Rights (TDR's) are purchased." The maximum "conventional density" of the 1.846 Acre subject parcel equates to one conventional lot. The density may be increased via "Transfer Zone" with the use of TDR's. There is no minimum lot size requirement within the Solomon's Town Center; however, with a maximum permitted density of 7 units per acre, the lot size average for this subdivision must be equal to or greater than 6,223 Sq.Ft. Therefore, 80,408 Sq.Ft. / 6,223 Sq.Ft. = 12.92 rounded down to, 12 units/lots, which is the maximum number of units permitted from Parcel 222 without exceeding the 7 unit/acre density limit. However, the Critical Area LDA zone, only permits up 4 units/acre. 12 lots would equate to 6.5 units/acre. Consequently, the Critical Area zoning supersedes the County Zoning. The four lots proposed hereon, equate to 2.2 units per acre which is within the permitted Critical Area LDA zone density.
3. This subdivision is for the creation of four lots; 1 conventional & 3 Transfer Zone (TZ) Lots. The 3 TZ lots shall require the application of five TDR's for each lot, for a total of Fifteen (15) TDR's. The Five TDR's per lot shall permit the construction of one Single-Family detached primary dwelling unit only. If attached or multi-family residential structures are proposed on any of the lots, then site plan review and approval shall be required along with an additional five TDR's for each additional Unit above the One Unit per Lot approved hereon. Lot 1 shall be deemed the one (1) new base density lot, and Lots 2-4 shall be deemed the three (3) Transfer Zone Lots which require the purchase of five (5) TDR's per Lot. The 15 TDR's for this plat were acquired under the Development Option Agreement recorded among the land records of Calvert County, Maryland in Liber Folio _____.
4. As per the Solomon's Master Plan & Zoning Ordinance, Chapter VII.D.2.e and Table 2, the building restriction lines (BRL's) and minimum lot widths for Subdistrict E-1 are as follows: 15' front, 6' sides, 20' rear with a minimum lot width of 75' and a maximum height for structures being limited to 3 stories plus a habitable roof, but not to exceed 50' in total height.
5. All houses shall be located so that the front of one house does not face the rear of another house.
6. All proposed structures on the lot including but not necessarily limited to dwellings, accessory structures, signage, lighting and fencing are subject to review and approval by the Solomon's Architectural Committee prior to the issuance of building permits.
7. As per Article 7-1.05.F.2 of the Zoning Ordinance, the applicant has voluntarily limited the number of lots being created from Parcel 222 to five lots. Consequently, Lots 1-4 shall be exempt from meeting the Adequate Public Facilities Ordinance (APFO) requirements. The 1.846 Ac. of land included within this subdivision may not be further subdivided or further developed in such a manner as to exceed a combined density of five lots or five units in perpetuity.
8. If archaeological materials are discovered during site work, the contractor or developer shall contact the Dept. of Planning and Zoning, HDC office immediately, so that the materials may be evaluated and the information recorded in the interest of documenting the heritage of Calvert County.
9. This plat of subdivision is located entirely within the Critical Area, LDA zone and site development of Lots 1-4 & Watermark Lane are subject to meeting the Critical Area Regulations.
10. No non-tidal, tidal, zoned wetlands, buffers, conservation areas, or floodplain areas (as per FEMA panel 240011-0031B) exist on site, or directly adjacent to this plat of subdivision.
11. As per Article 8-3.02.B: this site is exempt from Calvert County Forest Conservation Requirements. This site meets the 15% Forest Cover Requirements of the Critical Area Regulations.
12. As per Article 8-1.03.G.c.iv, The total allowable amount of clearing of forest or developed woodland is 6,000 Sq.Ft. or 30%, whichever is greater.
13. Any trees cleared for future development of the lots will be mitigated with replacement plantings on site, and there is a minimum 15% afforestation requirement for the property.
14. Stormwater Management (SWM) for the roadway shall be addressed with the road plan submittal. Disconnection of rooftop runoff for the individual lots shall be addressed at the time of building permit application.
15. Lots 1-4 shall be served via the Private Lane (Watermark Lane).
16. The Variable Width private lane shown hereon (Watermark Lane) shall be private, non-county owned and maintained and shall not be petitionable in perpetuity, to the County for County ownership or for County Maintenance. The developer shall be responsible for providing the private lane construction and the lot/parcel owners shall be responsible for its maintenance, including snow removal and repairs, as well as other improvements and road service normally provided by the county.
17. No permanent structures are allowed within the Storm Drainage Easements.
18. This plat prepared without benefit of a title report.

SIGHT DISTANCE CERTIFICATION

I hereby certify that the location of the subdivision street intersection(s) meet or exceed AASHTO sight distance criteria for the posted speed of the road as long as the sight triangles

7-24-08
Date Randy A. Barrett

SIGHT DISTANCE CERTIFICATION

I hereby certify that the entrance locations exist along the lot frontages that meet or exceed the sight distance requirements of the Calvert County Road Ordinance.

7-24-08
Date Randy A. Barrett

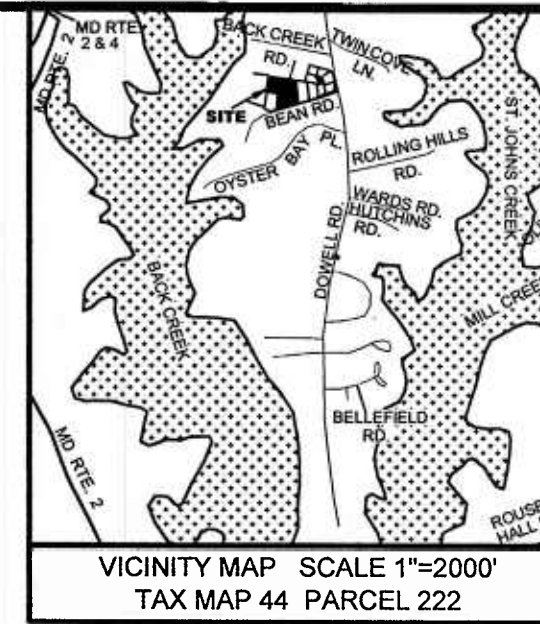
LDA CRITICAL AREA NOTES

- 1.) Total Forested Area = 0.281 Acres
Total Forested Area to be cleared = 0.00 Ac. (for subdivision)
Total Forested Area to be cleared = To Be Determined for Building Permits
- 2.) Per Section 8-1.03.G.f of the 2003 Zoning Ordinance, for stormwater runoff, man-caused impervious areas shall be limited to 15% of the subdivision to be developed. The total allowable man-caused impervious area for the parcel is 11,693 Sq.Ft (Total). The impervious area may increase to 25% per individual Lot as long as the total impervious area for the parcel does not exceed 15%.
- 3.) No impervious surfaces exist on site.
- 4.) Total Impervious surface allowed for Lots 1-4:
(77,955 Sq.Ft. x 15%) = 11,693 Sq.Ft.
- 5.) Impervious surface area by Lot:
Lot 1 : 1,968 Sq.Ft. (12.04%)
Lot 2 : 1,968 Sq.Ft. (14.62%)
Lot 3 : 1,968 Sq.Ft. (12.21%)
Lot 4 : 1,968 Sq.Ft. (9.54%)
Private Lane : 2,647 Sq.Ft. (43.37%)
RD-14A : 1,174 Sq.Ft. (39.90%)
Total: 11,693 Sq.Ft. (15%)

COORDINATES

No.	NORTH	EAST
1	245382.3203	1468698.6456
2	245328.1251	1468542.9461
3	245465.5542	1468489.7952
4	245533.2041	1468520.1171

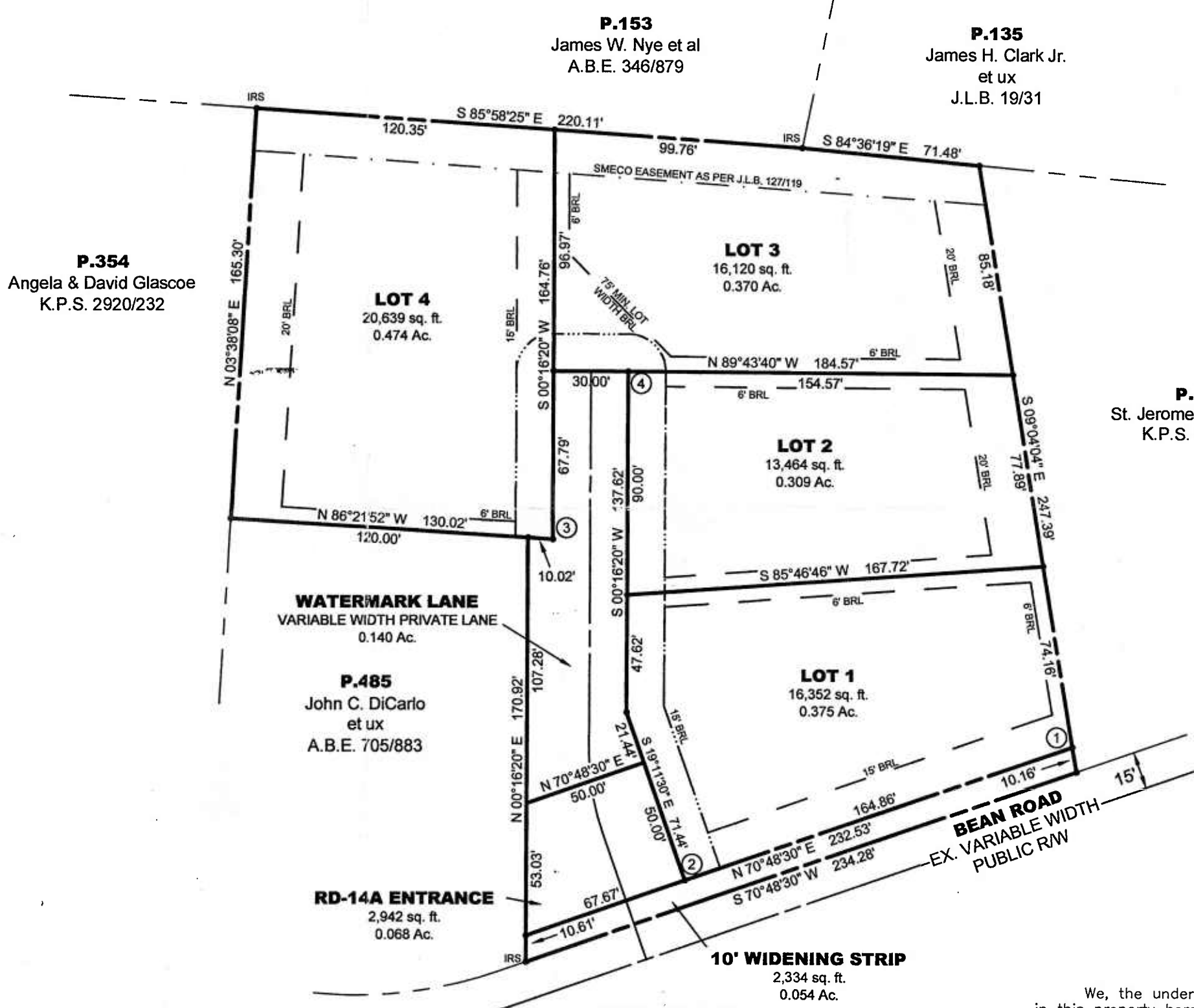
NUMBER OF LOTS SHOWN ON THIS PLAT	
NO. OF CONVENTIONAL LOTS:	1
NO. OF RECEIVING AREA LOTS:	3
TOTAL NO. OF NEW LOTS:	4
ACREAGE TABULATIONS FOR THIS PLAT	
ACREAGE OF ALL NEW LOTS:	1.528 Ac.
ACREAGE OF ALL PRIVATE LANES (& RD-14A):	0.208 Ac.
ACREAGE OF ALL WIDENING STRIPS:	0.054 Ac.
TOTAL ACREAGE SHOWN ON THIS PLAT:	1.790 Ac.
APFO INFORMATION FOR THIS PLAT	
NUMBER OF APFO EXEMPT LOTS	4



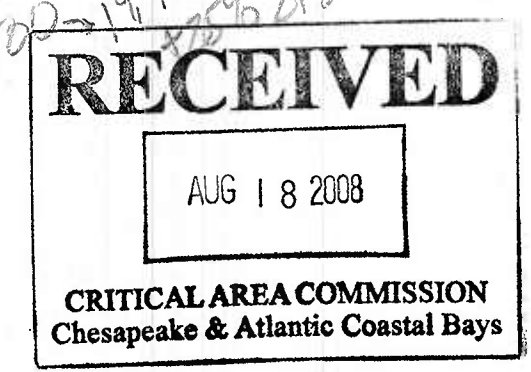
TAX I.D.: 01-201395 (P. 222)

LEGEND

- BRL — Denotes Building Restriction Line
- Denotes 15' Storm Drainage and Utilities Easement
- Denotes SMECO Easement as per J.L.B. 127/119



Handwritten notes: 15% = 11,693, 25% = 19,993, 1500 = 19,993, 1500 = 19,993, 1500 = 19,993, 1500 = 19,993



SURVEYOR'S CERTIFICATE

I hereby certify that the plan shown herein is correct: that it is a subdivision of part of the land conveyed by William Brodley Dowell to St. Jerome's Creek, LLC by deed dated January 3, 2006 and recorded among the land records of Calvert County, Maryland in Liber K.P.S. 2672 at Folio 748. Permanent monuments and metal rods have been set as required by Article 7-1.08, Calvert County Subdivision Regulations and Section 3-108 of the Real Property Article of the Annotated Code of Maryland. This survey is classified as a Suburban Survey in accordance with the State of Maryland Minimum Standards of Practice, Table 09.13.06.03A, Classifications of Surveys.

7-24-08
Date Randy A. Barrett

OWNERS CERTIFICATE

We, the undersigned owners and all parties having proprietary interest in this property hereby adopt this plan of subdivision, establish the minimum building restriction lines and dedicate the streets, alleys, walks, and other areas as specified. The streets, roads, open spaces and public sites shown hereon and the mention thereof in deeds are for the purpose of description only and recording of the Final Plat shall not be deemed to constitute or effect an acceptance by the County Commissioners. Acceptance by the County may be accomplished by a subsequent appropriate act. A utility easement is established 10 feet in width binding on all rights-of-way for the installation and maintenance of public utilities.

Date Witness James D. Blackwell, Jr., Managing Member St. Jerome's Creek, LLC

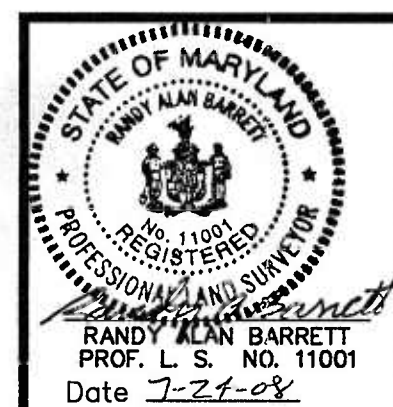
PLANNING AND ZONING CASE NO.: MSD 06-35-44

Approved For Recording By The Planning Commission
Date David K. Humphreys, Secretary, Planning Commission

HEALTH DEPARTMENT
Date _____
Health Officer _____
Dir. Env. Health _____
Sanitarian _____

HEALTH OFFICER'S CERTIFICATION

This subdivision satisfies the requirements of the Maryland Department of The Environment regulation 26.04.02 allowing for the construction of community water systems and community sewerage systems for homes and other establishments, and it is in conformance with the current County water and sewerage plan for water planning category W1 and sewerage planning category S1.



R. A. BARRETT & ASSOCIATES, INC.
ENGINEERS & SURVEYORS
100 JIBSAIL DR., SUITE 103
PRINCE FREDERICK, MD 20678
410-257-2255 301-855-5554 FAX: 410-257-3782
Date 7-24-08

FINAL PLAT
LOTS 1-4, WATERMARK LANE, & 10' WIDENING STRIP
ST. JEROMES CREEK, LLC
PROPERTY
LOCATED ON BEAN ROAD IN DOWELL
FIRST ELECTION DISTRICT, CALVERT COUNTY, MARYLAND

DATE 07/24/08
SCALE 1"=50'
DRAWN BY C.J.M.
DRAWING # CC2480 P-222 P
FILE # CC2480/RP
JOB # 09057