QC 521-07 Reed Creek, LLC 03-07-08-0012c

51829-6735

Martin O'Malley

Governor

Anthony G. Brown



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/

December 28, 2009

Ms. Sandra Carter Queen Anne's County Dept of Land Use, Growth Mgt, and Environment 160 Coursevall Drive Centreville, MD 21617

Re:

File #03-07-08-0012-C; Revision #4

Reed Creek LLC

Dear Ms. Carter:

Thank you for submitting the above referenced major subdivision for review and comment. The applicant is seeking to create an additional building lot and private lot on existing Lot 2 at Tax Map 43, Parcel 7. This office previously provided comment in December 2008. Below are my remaining comments at this time:

- 1. The lot coverage table should summarize the 15% lot coverage limit for the entire RCA acreage. It is not clear how the private road is incorporated in to the lot coverage limit. It would appear that the proposed area of lot coverage for the road in the RCA is 14,146 square feet and the applicant is assigning ½ of that area to each lot. However, how will future improvements to the roadway be calculated and assigned given the private road area is noted separately.
- 2. The lot coverage table must include the area of existing driveway for both Lot 2A and Lot 2B. Previously this was shown as 21,013 square feet and 13,668 square feet respectively.
- 3. The previous plat made reference to COMAR 27.01.09.01.C(6) which requires the 100-foot Buffer to be established in vegetation when agricultural use of the Buffer ceases. The applicant is indicating that a Buffer Management Plan is not required by the County at this time. However, the above provision of COMAR does still apply. I recommend at a minimum the above referenced note be added back to the plat.

Ms. Sandra Carter December 28, 2009 Page 2 of 2

Please note that the Commission recently approved regulations regarding Buffer establishment that require an applicant to provide a Buffer Management Plan at the time of subdivision (COMAR 27.01.09.01-03.C) and include specific requirements for planting. Once the regulations are adopted, the County will not be able to issue any permits for development activity on the property unless the applicant has an approved Buffer Management Plan. Requiring submittal of a Buffer Management Plan to be recorded with the final subdivision plat will allow natural regeneration to be included as part of the Plan and ensure that future lot purchasers are not burdened with an additional permit requirement. The proposed Buffer regulations provide provisions for Buffer Management Plans to allow for continued agricultural use.

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

Sincerely,

Kate Charbonneau Regional Program Chief

QC521-07

Cc: Ms. Jennifer MacGlashan

Kate Chadsonneau

Martin O'Malley Governor

Anthony G. Brown



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/

December 22, 2008

Ms. Jennifer Jackson Queen Anne's County Department of Land Use, Growth Management and Environment 160 Coursevall Drive Centerville, MD 21617

Re: 003-07-08-0012-C, Minor Subdivision Revision for Reed Creek LLC

405 Wrights Neck Road, Centerville

Dear Ms Jackson:

Thank you for providing information on the above referenced revision to this minor subdivision. The applicant proposes to change the subdivision proposal to extend the proposed lots out to Writes Neck Road so that they can each have separate direct access. The site is located in the Resource Conservation Area (RCA). The applicant has addressed all of the comments from this office.

Thank you for the opportunity to provide comment. Should you have any other questions regarding this project, please call (410) 260-3470.

Sincerely,

L. Turcan Hockaday

Natural Resource Planner

QC 521-07

Martin O'Malley
Governor

Anthony G. Brown
Lt. Governor



Margaret G. McHale

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 20, 2008

Ms. Jennifer Jackson
Queen Anne's County
Department of Land Use, Growth Management
and Environment
160 Coursevall Drive
Centerville, MD 21617

Re: 003-07-08-0012-C, Minor Subdivision Revision for Reed Creek LLC 405 Wrights Neck Road, Centreville

Dear Ms. Jackson:

Thank you for providing information on the above referenced revision to this minor subdivision. The applicant proposes to change the subdivision proposal to extend the proposed lots out to Writes Neck Road so that they each have separate direct access. The site is located in the Resource Conservation Area (RCA). Please see my comments below.

- 1. The applicant has submitted a Buffer afforestation plan that appears to propose establishment of only a portion of the Buffer. The County Code section 14:1-5 and COMAR 27.01.09.01.C(6) require establishment of the entire Buffer. Please have the applicant revise the plan to meet these requirements. Until the applicant provides a Buffer Management Plan describing how the Buffer will be established, the Planning Commission may not make findings that the proposed subdivision is consistent with the County Program. Please revised the "objective" section on the plan sheet 9 of 9 accordingly.
- 2. While it is not clear whether the site supports Delmarva fox squirrel habitat, the applicant states that no clearing is proposed for future development activities; however, clearing of eleven dead or dying trees is proposed in the 100-foot Buffer. We recommend the applicant consult with the Department of Natural Resources and the U.S. Fish and Wildlife Service to determine whether this type of selective clearing could impact the squirrel habitat. This comment was listed on the November 1, 2007 letter from this office. No documentation of coordination with Department of Natural Resources and the U.S. Fish and Wildlife Service on this matter has been submitted.

Jennifer Jackson November 20, 2008 Page 2 of 2

3. The stream on this site has a 100-foot Critical Area Buffer, as shown on the plan. The stream Buffer is contiguous to the nontidal wetland (pond) shown on the plan, requiring expansion of the Critical Area Buffer to include the entire nontidal wetland (pond). If any impacts are proposed to Buffer for the road, a variance is required to County Code section 14:1-51.

Thank you for the opportunity to comment. Please contact me if you have any questions at (410) 260-3479.

Sincerely,

Marshall Johnson

Natural Resources Planner

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 20, 2008

Ms. Jennifer Jackson
Queen Anne's County
Department of Land Use, Growth Management
and Environment
160 Coursevall Drive
Centerville, MD 21617

Re: 03-08-11-0004-C, Relocation of Lot Line for Reed Creek LLC 405 Wrights Neck Road, Centreville

Dear Ms. Jackson:

Thank you for providing information on the above referenced lot line revision. The applicant proposes to relocate lot lines on a portion of this site that is outside of the Critical area; therefore, this office has no comments regarding this proposal. Please contact me if you have any questions at (410) 260-3479.

Sincerely,

Marshall Johnson

Natural Resources Planner

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 1, 2007

Ms. Jennifer Jackson-Rhodes Queen Anne's County Department of Planning and Zoning 160 Coursevall Drive Centreville, MD 21617

Re:

Reed Creek, LLC

#03-07-08-0012-C

Dear Ms. Jackson-Rhodes:

Thank you for forwarding applicant's responses to our last comment letter for the above-referenced subdivision request. It appears the applicant has addressed the majority of our comments. I have outlined our remaining comments below.

- 1. While it is not clear whether the site supports Delmarva fox squirrel habitat, the applicant states that no clearing is proposed for future development activities; however, clearing of eleven dead or dying trees is proposed in the 100-foot Buffer. We recommend the applicant consult with the Department of Natural Resources and the U.S. Fish and Wildlife Service to determine whether this type of selective clearing could impact the squirrel habitat.
- 2. We recommend the applicant provide the County with a detailed Buffer Management Plan that shows the type, size and spacing of the proposed plantings in the Buffer. In addition, we recommend the applicant provide assurance for these plantings.

Thank you for the opportunity to provide comments. Please telephone me at (410) 260-3478 if you have any questions.

Sincerely,

Lisa A. Hoerger

Regional Program Chief

Martin O'Malley

Anthony G. Brown Lt. Governor



Margaret G. McHale Chair

Ren Serey
Executive Director

September 18, 2007

### STATE OF MARYLAND CRITICAL AREA COMMISSION CHESAPEAKE AND ATLANTIC COASTAL BAYS

Chris Pajak

1804 West Street, Suite 100. Annapolis. Maryland 21401

(410) 260-3460 Fax: (410) 974-5338

MDE - Water Management Administration w.dnr.state.md.us/criticalarea/

Nontidal Wetlands & Waterways Division

201 Bapist Street

Salisbury, MD 21801

RE: 200763936 Reed Creek LLC - Road Crossing Wrights Neck Road, Queen Anne's County

Dear Mr. Pajak:

Thank you for providing information on the above referenced application. The applicant has applied for a land division with the County. I have also commented on that application through the County Department of Land Use, Growth Management and Environment (my letter to the County is attached).

I understand that the applicant has also requested permission for road improvements at this site, which would potentially impact a nontidal wetland and associated wetland buffer, and that this proposal is under review by your department. Once the applicant has submitted information confirming the correct location of the Critical Area Buffer, which may require expansion of the Buffer for a contiguous non-tidal wetland, the proposal may be required to address additional criteria of COMAR and the County Critical Area Program. Please see my attached letter for additional details. New development activities, including road improvements, are not allowed in the Critical Area Buffer, and will not be allowed by the applicant in this case if the Critical Area Buffer is in fact expanded to encompass the wetland area where the road improvements are currently proposed.

The site is within the Protection Zone of a Bald Eagle nest. The area surrounding this protected nest is a Habitat Protection Area, as designated on State maps. In addition, measures to protect Delmarva fox squirrel habitat may be warranted. The applicant should meet the requirements of the DNR Wildlife and Heritage Service and the US Fish and Wildlife Service concerning any development activity on the subject site. There also appears to be a Waterfowl Concentration area adjacent to the site, which may require additional development restrictions. I have requested that the County require the applicant to address County Code §14:1-38.D(2) whereby the applicant must show how the requirements of DNR Wildlife and Heritage Service for specific habitat protection will be met by this proposal.

If you have any questions about this information, please contact me at 410-260-3479.

Sincerely,

in\_

Marshall Johnson

Natural Resources Planner

CC: QC 521-07

Wrights Neck Road, Queen Anne's County Satellite

# FAX COVER SHEET

Maryland Department of the Environment
Water Management Administration
Nontidal Wetlands & Waterways Division
Salisbury Regional Office
Phone (410) 713-3685 – Fax (410) 713-3686

Date:9/12/07	
O: MARSHALL JOHNSON	
Company: Mo. CAC	
rom: Chris PAJAK	
Message: MARShall:	
HERE IS A SYNOPSIS OF the	REED CREEK
ROAD CROSSING. PLEASE REVIEW	AND COMMENT.
	- Chris

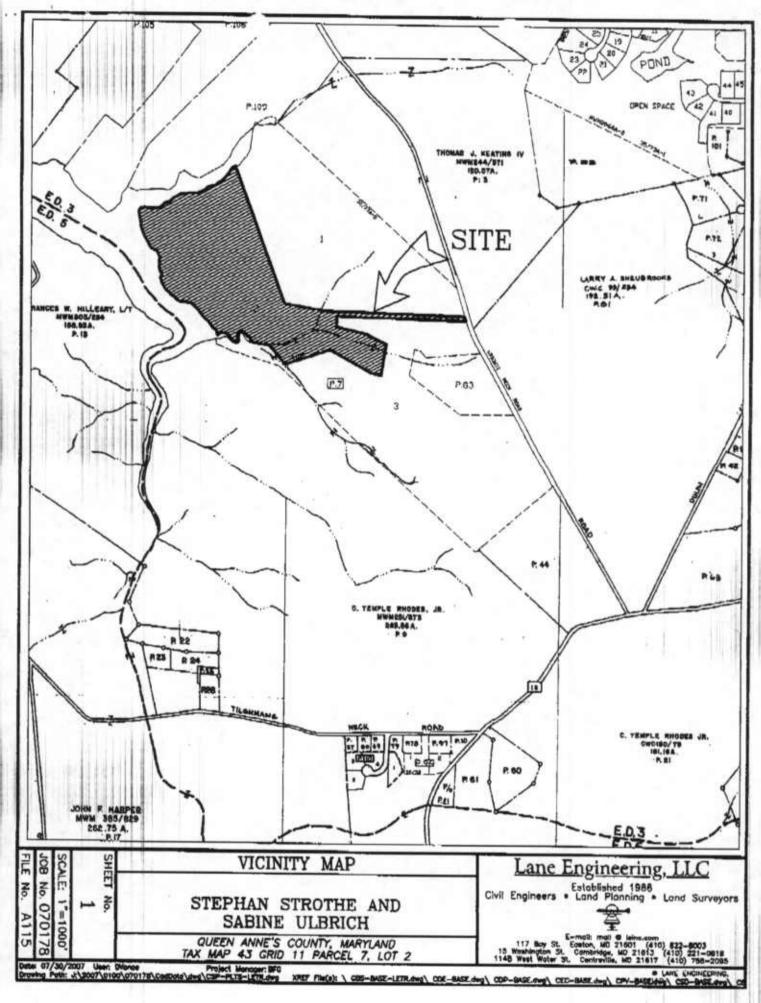
# JOINT FEDERAL/STATE APPLICATION FOR THE ALTERATION OF ANY FLOODPLAIN, WATERWAY, TIDAL OR NONTIDAL WETLAND IN MARYLAND

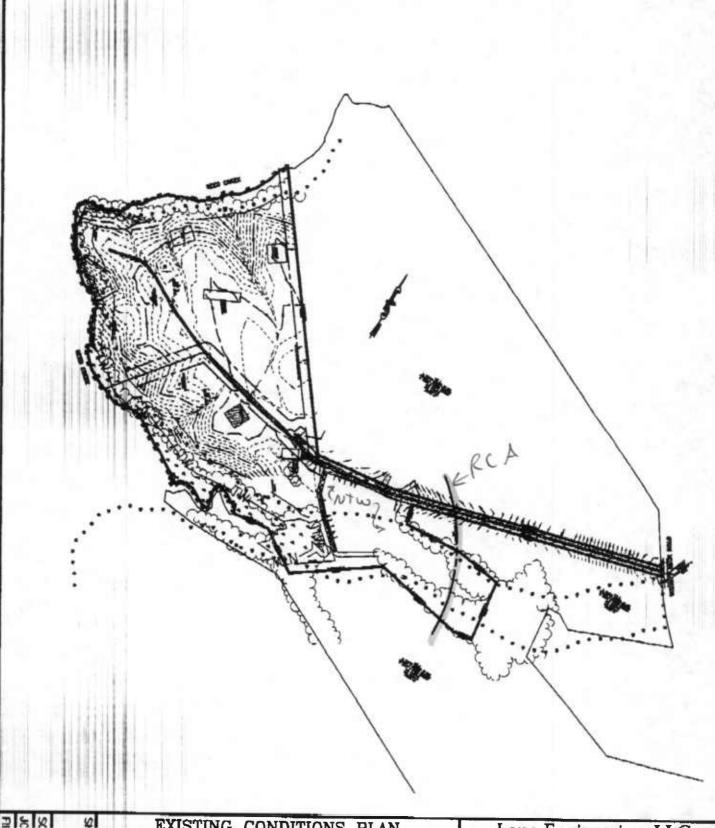
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AP	PLICANT NAME;			
		11/10		
A.	Name: Stephan Strothe	d Kings	Daytime	(202) 331-9508 FAX
C.	Company: Reed Creek LLC - Wrights Neck Road		Telephone:	202-262-9127
D.	Address: 1620 I Street NW			
E.	City: Washington	State:	DC	Zip: 20006
A. C. D.	Name: M. Stark McLaughlin Company: Lane Engineering, Inc Address: 117 Bay Street	В	Telephone: _(4	<b>410) 822-8003</b>
E.	City: Easton	State:	MD	Zip: 21601
EN	VIRONMENTAL CONSULTANT:			
A.	Name: Same As Agent	В.	Telephone;	
C.	Company:			
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For projects indicated with an asterisk refer to the sample plans and checklists found in the January 1988 Joint Application booklet.

-	e purpose of the project is to upgrade the existing driveway to meet current standards for road construction of a private road in division.
_	
3. a.	PROJECT LOCATION: LOCATION INFORMATION:
A.	County: Queen Anne's B. City: Contreville C. Name of waterway or closest waterway. Book Creak
	Cortica River
D. E.	State stream use class designation:  Site Address or Location: Wrights Neck Road
	Site Address of Docadon. Wrights Neck Road
1.	Directions from nearest intersection of two state roads: From Centreville south on Rt 18, 4-H Park road, past Fair grounds
he	n right on Wrights Neck Road. Approximately 2 miles to left on private drive.
-	
3.	Is your project located in the Chesapeake Bay Critical Area (generally within 1,000 feet of tidal waters or tidal wetlands)?
_	X YCS No
ł.	A TOWNS OF THE PROPERTY OF THE
	Map: 18 Letter: E Number: 3 (to the nearest tenth) FEMA Floodplain Map Panel Number (if known):
	1. 39 02 10.71 latitude 2. 76 07 56.44 longitude
	2. 70 07 30.44 longitude
).	ACTIVITY LOCATION: Check one or more of the following as appropriate for the type of wetland/waterway where you ar
dru A.	DOSING AN ACTIVITY
3.	Tidal Wetlands  F. 100-foot buffer (nontidal wetland H, 100-year floodplain of special State concern)
7	Tidal Wetlands of special State concern) (outside stream channel Special Aquatic Site G. In stream channel X River lake good
	Tidal Waters F. 100-foot buffer (nontidal wetland H. 100-year floodplain Tidal Wetlands of special State concern) (outside stream channel Special Aquatic Site G. In stream channel 1. X River, lake, pond (e.g., mudflat, 1. Tidal 2. Nontidal J Other (Explain)
	vegetated shallows)  Farmed Wetland & 25'
D.	X Nontidal Wetland Farmed Wetland Buffer
Ξ.	X 25-foot buffer (nontidal
	wetlands only)
	LAND USE:
	MAIN NAME
١.	Current Use of Parcel Is: X Agriculture: Has SCS designated project site as a prior converted cropland?
١.	Current Use of Parcel Is: X Agriculture: Has SCS designated project site as a prior converted cropland?
١.	Current Use of Parcel Is: X Agriculture: Has SCS designated project site as a prior converted cropland?  Yes X No 2. Wooded 3. Marsh/Swamp 4. Developed
	Current Use of Parcel Is: X Agriculture: Has SCS designated project site as a prior converted cropland?  Yes X No 2. Wooded 3. Marsh/Swamp 4. Developed
1.	Current Use of Parcel Is: X Agriculture: Has SCS designated project site as a prior converted cropland?  Yes X No 2. Wooded 3. Marsh/Swamp 4. Developed Other Passat Zoning is 1. Residented 2. Commercial/Industrial 3. X Agriculture 4. Maring 5. Other
3. 3.	Current Use of Parcel Is: X Agriculture: Has SCS designated project site as a prior converted cropland?  Yes X No 2. Wooded 3. Marsh/Swamp 4. Developed
1.	Current Use of Parcel Is: X Agriculture: Has SCS designated project site as a prior converted cropland?  Yes X No 2. Wooded 3. Marsh/Swamp 4. Developed  Other Resided 2 Commercial/Industrial 3. X Agriculture 4. Mains 5. Other  Project complies with current zoning X Yes No  IE FOLLOWING INFORMATION IS REQUIRED BY THE STATE (blocks 4-7):
	Current Use of Parcel Is: X Agriculture: Has SCS designated project site as a prior converted cropland?  Yes X No 2. Wooded 3. Marsh/Swamp 4. Developed Other  PESCH Zonne Is 1. Residual 2. Chronic cid/Industrial 3. X Agriculture 4. Marina 5. Other  Project complies with current zoning X Yes No  IE FOLLOWING INFORMATION IS REQUIRED BY THE STATE (blocks 4-7):  REDUCTION OF IMPACTS: Explain measures taken or considered to avoid or minimize wetland losses in F. Also check
	Current Use of Parcel Is: X Agriculture: Has SCS designated project site as a prior converted cropland?  Yes X No 2. Wooded 3. Marsh/Swamp 4. Developed  Other Residents 2 Commercial/Inchestral 3. X Agriculture 4. Marina 5. Other  Project complies with current zoning X Yes No





JOB No. 0701 No

EXISTING CONDITIONS PLAN

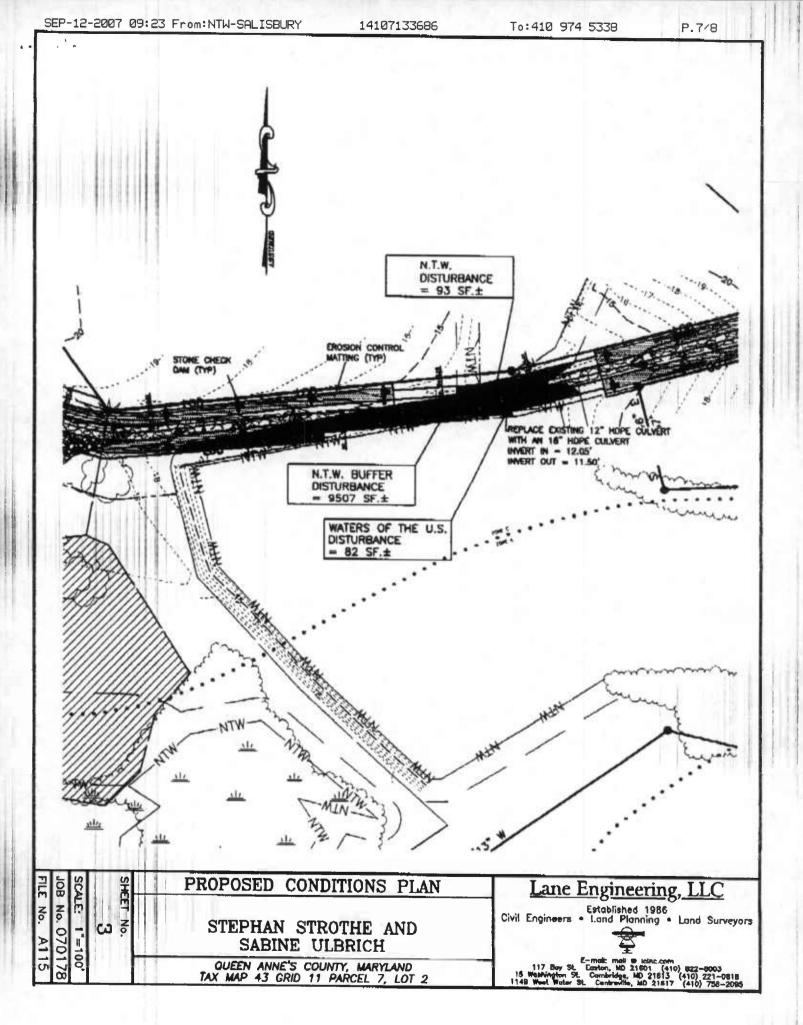
STEPHAN STROTHE AND SABINE ULBRICH

QUEEN ANNE'S COUNTY, MARYLAND TAX MAP 43 GRID 11 PARCEL 7, LOT 2 Dute: 07/30/2007 User: DVense Dryving Peth; J:\2007\0100\070178\CesDate\dr

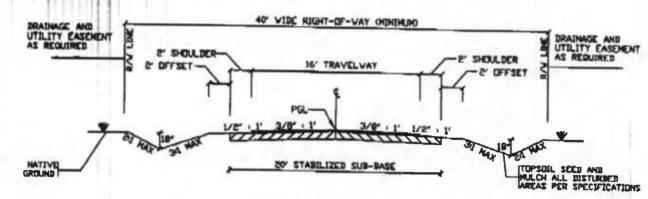
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### SPECIFICATIONS

- 1. PAVEMENT Shall be polymer modified asphalt emulsion (CRS-2) applied with thip seal stone at the following rates: 1st course 45 lbs MD 87 stone on 1/2 gallon CRS-2P per square yard, 2nd and 3rd courses 35 lbs MD 87 stone on 1/2 gallon CRS-2 per square yard.
- E. STABILIZED SUB-BASE Shall be 8' minimum compacted bank run gravel laid and thoroughly compacted in two 4' lifts or 6' of CR-6 aggregate laid and compacted in one lift. Compaction shall neet or exceed 95% of the nodified proctor density for the naterial lither alternatives to stabilized sub-base must be approved by the Chief Roads Engineer prior to initiation of construction.
- 3. SUB-GRADE All unsuitable naterials shall be renoved to a point IE' below subgrade of the stabilization. If unsuitable naterial is naterial shall be renoved as directed by the Chief Roads Engineer. The unsuitable naterial shall be replaced with select borrow.
- 4. DITCHES Shall be excavated to gradients as shawn on construction drawings and stabilized with a minimum of 4' of topsoil, seeded and nulched per MICE specifications.
- 5. All nethods of construction shall be in compliance with Queen Anne's County standards. All naterial specifications shall comply with addendum thereto.

  The Haryland State Highway Administration's "Standard Specifications for Construction and Materials" manual and any

APPROVED	SCALE: ND SCALE	QUEEN ANNE'S COUNTY DEPARTMENT OF PUBLIC VORKS
DIRECTOR, DEPT. OF PUBLIC VORKS	REVISIONS	PRIVATE ROAD SECTION FOR RURAL AREAS
CHIEF RUADS ENGINEER		STANDARD NO. RD-100.04

DRIVEWAY CROSS SECTION

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SABINE ULBRICH

QUEEN ANNE'S COUNTY. MARYLAND
TAX MAP 43 GRID 11 PARCEL 7, LOT 2

Deter 67/30/2007 User Divines

Project Manager BFG

Driving Potic 4/2007/0109/079179/Coc007te/dry/CSF-PLTS-LETR.dry

XREF File(s): \ GSS-BASE-LETR.dry\ COK-BASE.dre\ COK



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/

September 7, 2007

Ms. Jennifer Rhodes Queen Anne's County Department of Planning and Zoning 160 Coursevall Drive Centerville, MD 21617

Re: 003-07-08-0012-C, 405 Wrights Neck Road, Centreville

Reed Creek LLC

Dear Ms. Rhodes:

Thank you for providing information on the above referenced project. The applicant proposes to subdivide an existing lot located in the Resource Conservation Area (RCA) into two lots and a separate private road tract. Please see my comments below.

- 1. There should be a professional wetland delineation to determine the actual areas available for subdivision and the location of the Critical Area Buffer. Please have the applicant document who has delineated the wetlands and what method was used for the delineation of tidal versus non-tidal wetlands.
- 2. The Buffer shown on the plans may need to be expanded for environmental features contiguous to the Buffer as required by County Code Section 14:1-52. This includes Buffer expansion for the following when they are contiguous to the Buffer: the extent of all non-tidal wetlands, any slopes 15% or greater, hydric soils and highly erodible soils with a K value greater than 0.35. It appears that this site may have one or more of these characteristics warranting Buffer expansion. Please have the applicant address this standard and show the expanded Buffer where necessary.
- 3. It appears that there is a stream on the site connected to the pond. If there is a stream on this site, it must also have 100-foot Buffer from its banks as required in the County Code. Please have the applicant document whether there is a stream and the methods for determination.
- 4. The sewage reserve areas shown on the plan must be located outside of the Critical Area

Jennifer Rhodes September 7, 2007 Page 2 of 2

Buffer. Please have the applicant locate all sewage reserve areas outside of the Buffer and indicate this on the plan.

- 5. Queen Anne's County Code §14:1-38.D(2) (Site Development Standards) requires that site development shall be designed to assure that Habitat Protection Areas are not adversely affected. The site is within the Protection Zone of a Bald Eagle nest. The area surrounding this protected nest is a Habitat Protection Area, as designated on State maps. In addition, measures to protect Delmarva fox squirrel habitat may be warranted. The applicant should meet the requirements of the DNR Wildlife and Heritage Service concerning any development activity on the subject site. There also appears to be a Waterfowl Concentration area adjacent to the site, which may require additional development restrictions. Please have the applicant address §14:1-38.D(2) and how the requirements of DNR will be met by this proposal.
- 6. The Code of Maryland Regulations Title 27.01.09.01C(6) requires that the entire 100-foot Buffer of the site must be established in natural vegetation when the use changes from agriculture to another use. Therefore, the 100-foot Buffer on both of these proposed lots must be completely planted. Please have the applicant revise the plan to show the Buffer plantings to meet this standard.
- 7. The proposed subdivision divides 1.122 acres of the RCA into a separate tract for the private road. The area of RCA on this site only allows density of two dwellings, per County Code RCA density restrictions in §14:1-39.C. A separate tract can only be created with less than 20 acres of RCA if it can not be developed in the future. It appears that the dimensions of the road tract would prevent any future development; however, ideally the private road tract would be part of one of the lots with a shared access easement.

Thank you for the opportunity to comment. Please contact me if you have any questions at (410) 260-3479.

Sincerely,

Marshall Johnson

Natural Resources Planner

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117 Bay Street P.O. Box 1767 Easton, Maryland 21601 Tel 410-822-8003 Fax 410-822-2024 354 Pennsylvania Avenue Centreville, Maryland 21617 Tel 410-758-2095 Fax 410-758-4422

December 4, 2009

HAND DELIVERED

Queen Anne's County Department of Land Use, Growth Management and Environment 160 Coursevall Drive Centreville, MD 21617

ATTN: Jennifer Jackson

RE: LANDS OF REED CREEK, LLC

MINOR SUBDIVISION #03-07-08-0012-C

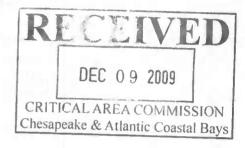
Dear Jennifer:

On August 20, 2007 we submitted a Minor Large Lot Subdivision on behalf of the property owner, Reed Creek, LLC. A two-lot subdivision with private road access was proposed for Map Grid 10, Parcel 7, Lot 2. The lot had been the subject of a previous minor subdivision in 2002 which created a total of three large lots.

The 2007 minor subdivision application and private road plans went through two County review cycles with the last County review comments provided on November 1, 2007. At this point the owner needed to provide sureties and fees and the subdivision was essentially ready for County signatures and final approval.

During this time the owners of adjacent Lots 1 and 3, Pat and Temple Rhodes, also had pending minor subdivision applications for each of those lots. They were proposing one new lot on each existing lot. The Department of Land Use, Growth Management and the Environment (LUGME) realized that with three existing lots and a total of three proposed lots that only two of those proposed lots could be approved as "minors" and one would have to be a "major." LUGME determined that unless Reed Creek LLC and the Rhodes came to some mutual understanding about which lots would be minors and which lot would be the major then all three proposed lots would require Planning Commission approval as Major Subdivision lots.

At this point Reed Creek, LLC and the Rhodes' began to discuss a scenario where it would be agreed that the Reed Creek LLC lot and one of the Rhodes lots would proceed as minors with the second Rhodes lot being approved as a major subdivision. The parties also agreed that Rhodes would sell two small pieces of land on either side of the Reed Creek LLC property where it



joined Wright's Neck Road so that Reed Creek, LLC would have the required road frontage to allow for elimination of their proposed private road and instead flag each proposed lot directly to Wrights Neck Road.

On November 6, 2008 we submitted a revised minor subdivision for Reed Creek LLC and an Administrative Subdivision for the land transfer from Rhodes to Reed Creek, LLC. The Rhodes also followed suit with the agreement and submitted a minor and a major subdivision for their proposed two lots. The Reed Creek LLC revised minor plat and administrative subdivision went through one review cycle and were both basically ready for final approval pending payment of sureties and fees. I believe the Rhodes minor subdivision was also reviewed and ready for signatures and the Rhodes major subdivision was conditionally approved by the Planning Commission and was ready for final approval.

Unfortunately, Reed Creek, LLC and the Rhodes have not been able to agree on some other matters related to existing easements and access rights for the existing driveway and at this point the Rhodes have been unwilling to sign the Administrative Subdivision plat so the original agreement has stalled out indefinitely. Reed Creek LLC is anxious to move forward with their plans for subdivision so we are resubmitting the original subdivision plat with a private road. Dates for plat certifications have been updated and the road plans have been slightly revised per discussions with Patrick Hager at the Department of Public Works.

The following is a point-by point response to the November 1, 2007 County comments for this proposed subdivision:

Department of Public Works Stormwater Management/Roads

### Plat Review Comments

1. Title Block and Plat Title revised to indicate this is a Major Subdivision

### Plan Review Comments

1. Plans were revised to eliminate some previously proposed roadside ditching as shown on the original plans. Ditching removed per consultation with Patrick Hager.

## Stormwater Management Report Comments

1. Stormwater management previously approved.

### General Comments

- 1. A revised engineer's construction cost estimate is attached. Sureties and inspection fees to be provided before final approval.
- 2. Plans will be signed by Soil Conservation District prior to final submittal for DPW signature.

- 3. DPW checklist will be completed prior to final submittal for DPW signature.
- 4. Plats and plans will be signed prior to DPW signatures.

### Critical Area Commission

This subdivision was originally submitted in 2007 therefore the 100 foot Critical Area Buffer as expanded still applies. The trees removed and planted within the buffer as shown on the Forest Conservation Plan were the subject of County Permits approved in March 2007 (Permit # SO7-0060). No tree clearing or Buffer disturbance is proposed with this subdivision. Current County regulations do not require a Buffer Management Plan at this time.

### Department of Land Use, Growth Management and Environment

- Subdivision History leading up to the 2007 submittal of this plat is included on Sheet 1 of 8.
- 2. The existing driveway is not intended to be used for access to Lot 2B
- 3. The LUGME Certification has been replaced with signature block for the Planning Commission as this is now a Major Subdivision.
- 4. The existing barn is an accessory structure to the existing house located on Proposed Lot 2A. This accessory structure is permitted to be in the front yard as permitted by Section 18:1-45B (3). The encroachment of the accessory structure in the side building restriction line is permitted by Section 18:1-45 B (1).

We are requesting this Major Subdivision be accepted for 25-day submittal and placed on the January 14, 2010 Planning Commission agenda. Please do not hesitate to contact me if you have any questions or concerns regarding this re-submittal.

Given the time frame that has lapsed, adjacent property owners have been re-notified. The certified mail receipts are enclosed with this submittal.

Sincerely,

Sany 7 Driffied / mea Barry F. Griffith, AICP Principal, Senior Planner

**Enclosures** 

cc: Stephan Strothe, Reed Creek, LLC

# Lane Engineering, LLC

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354 Pennsylvania Avenue Centreville, Maryland 21617 Tel 410-758-2095 Fax 410-758-4422

December 8, 2008

HAND DELIVERED

Queen Anne's County Department of Land Use, Growth Management and Environment 160 Coursevall Drive Centreville, MD 21617

ATTN: Jennifer Jackson, Land Use Planner

RE: LANDS OF REED CREEK, LLC

**MINOR SUBDIVISION #03-07-08-0012-C** 

DEC - 8 2008

LAND USE PROVIDE OUT & ENVENT

Dear Jennifer:

As per your comment letter dated November 25, 2008, the following is a point-by-point response addressing County review comments for the above referenced Subdivision:

### Department of Public Works: Stormwater Management/Roads

Plat Review Comments:

- 1. See notes added to Sheet 2 of the plat regarding rooftop and non-rooftop disconnect.
- 2. Additional labels have been added to the plat identifying new lines of division.
- 3. No Roads comment.
- 4. All necessary certificates will be signed prior to DPW signature.

### **Critical Area Commission**

- 1. See Note #19 added to Sheet 1 regarding COMAR 27.01.09.01.C(6).
- 2. The dead, diseased or dying trees have already been removed and replaced per a permit issued by the Department of Land Use, Growth Management and Environment. (Permit #S07-0060)
- 3. No improvements are proposed to the existing driveway. No variance will be required.

## Department of Land Use, Growth Management & Environment:

An inset has been added to Sheet 4 of 9 to clarify the 50' wide access and utility easement. We do not want to extend the driveway easement any closer to the existing barn. The small edge of trees near the easement is not part of the Forest Conservation Easement as shown on the inset and on Sheet 7. When the driveway is constructed for Lot 2B, if any of these trees need to be cleared, they will need to be replaced in conjunction with grading and building permit approval.

If you have any questions or comments, please advise.

Thank you, Lane Engineering, LLC

Mawha Usilton, Marsha Usilton, Office Manager

cc: Ste

Stephan Strothe
C. Temple & Patricia Rhodes
Karl Phillips, Esq.
Jeff Thompson, Esq.
Jack Kirby

# Lane Engineering, LLC

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354 Pennsylvania Avenue Centreville, Maryland 21617 Tel 410-758-2095 Fax 410-758-4422

November 6, 2008

Jennifer Jackson Queen Anne's County Department of Land Use, Growth Management & Environment 160 Coursevall Drive Centreville, MD 21617

RE:

LANDS OF REED CREEK, LLC AND C. TEMPLE RHODES & PATRICIA A. RHODES Q.A. CO. TAX MAP 43, PARCEL 7, LOTS 1, 2 & 3

#### Dear Jennifer:

Enclosed you will find a plat submittal showing an administrative subdivision of referenced land. The plat is intended to transfer lands from C. Temple Rhodes, Jr. and Patricia A. Rhodes (Rhodes), Lots 1 and 3 to Reed Creek, LLC (Strothe) Lot 2 so that Lot 2 will have 70 ft. of frontage on Wright's Neck Road. Lot 2 is the subject of a pending Minor Large Lot subdivision (#03-07-08-0012-C) which has been revised to show the access for the two proposed lots to be direct to Wright's Neck Road with 35 feet of frontage for each lot and a shared access and utility easement running over the existing driveway. The previously proposed private road has been eliminated.

Strothe and Rhodes have reached an agreement that Strothe will finalize his pending Minor Large Lot Subdivision and Rhodes will be submitting a Minor subdivision for one additional lot on either Lots 1 or 3. Rhodes will then apply for an additional one lot on Lots 1 or 3 as a Major subdivision. Both parties have agreed that the Administrative Subdivision, Strothe Minor, Rhodes Minor and Rhodes Major would all be recorded concurrently pending final approval of all proposed subdivisions.

Please find the following for the proposed Administrative Subdivision:

- Six (6) copies of the plat and completed application;
- A copy of the deeds of record;
- A check made payable to Queen Anne's County Commissioners in the amount of \$725.00 representing the required Development Review Fee;
- Adjacent property owner notification certified mail receipts;
- Project Notification Application for Critical Area.

If you have any questions, please call the office. We request all comments be directed to our Centreville office.

Sincerely, Marsha Use How Marsha Usilton, Office Manager

cc:

Stephan Strothe
C. Temple & Patricia Rhodes
Karl Phillips, Esq.
Jeff Thompson, Esq.
Jack Kirby

# Lane Engineering, LLC

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November 6, 2008

HAND DELIVERED

Queen Anne's County Department of Land Use, Growth Management and Environment 160 Coursevall Drive Centreville, MD 21617

ATTN: Jennifer Jackson, Land Use Planner

RE: LANDS OF REED CREEK, LLC

MINOR SUBDIVISION #03-07-08-0012-C

Dear Jennifer:

An Administrative Subdivision plat and application between Reed Creek, LLC (Strothe) and C. Temple Rhodes & Patricia Rhodes (Rhodes) is being submitted concurrent with this Minor Subdivision resubmittal. The Administrative Subdivision is intended to transfer lands from the Rhodes' Lots 1 and 3 to the Strothe Lot 2 so that Lot 2 will have 70 ft. of frontage on Wright's Neck Road.

This resubmitted Minor Large Lot subdivision has been revised to show access for the two proposed lots to be direct to Wright's Neck Road with 35 feet of frontage for each lot and a shared access and utility easement running over the existing driveway. The previously proposed private road has been eliminated.

Strothe and Rhodes have reached an agreement that Strothe will finalize his pending Minor Large Lot Subdivision and Rhodes will be submitting a Minor subdivision for one additional lot on either Lots 1 or 3. Rhodes will then apply for an additional one lot on Lots 1 or 3 as a Major subdivision. Both parties have agreed that the Administrative Subdivision, Strothe Minor, Rhodes Minor and Rhodes Major would all be recorded concurrently pending final approval of all proposed subdivisions.

As per your comment letter dated November 1, 2007, the following is a point-by-point response addressing County review comments for the above referenced Subdivision:

### Stormwater Management/Roads

Plat Review Comments:

1. Revisions are shown in the title block.

### Plan Review & General Comments:

The proposed Private Road has been eliminated. Lots 2A and 2B now each have 35 feet of direct street frontage on Wright's Neck Road and will utilize a shared access and utility easement over the existing driveway.

### Stormwater Management Report Comments:

Private Road and associated stormwater management design has been eliminated.

### **Critical Area Commission**

The plat set includes a comprehensive Critical Area Forest Conservation and Afforestation Plan which includes no forest clearing, a 6.920 forest conservation area within the Critical Area and 3.062 acres of afforestation. The 100 foot shoreline buffer contains existing forest cover that is not proposed for disturbance. Afforestation is proposed in some areas within or immediately contiguous to the shoreline development buffer. Dead, diseased or dying trees previously removed and replaced were properly permitted by the Department of Land Use, Growth Management and Environment per permit SO7-0060, dated March 26, 2007. A letter of credit in the amount of \$1,316.24 is proposed for surety for the required afforestation.

### Department of Land Use, Growth Management & Environment:

General Comments:

- 1. The Subdivision History has been added to Sheet 1 of the plat.
- 2. The proposed private road has been eliminated. Access for the two proposed lots will be direct to Wright's neck Road with 35 feet of frontage for each lot and a shared access and utility easement running over the existing driveway to a point where the lots split as shown on the plat.
- 3. The "C" has been added to the Subdivision Number within the Department's Certificate.
- 4. We have revised the plat to eliminate the private road. We believe that based on the current configuration of lot lines the existing barn is not encroaching on the front BRL for lot 2A. The configuration of these lots does not readily fit any "model" or definition of how a front or side yard is to be provided. On sheet 2 of 9 we are showing the front BRL as being established at a point where Lot 2A "opens up" from the flag portion of the lot at a distance where the lot meets the 500 foot minimum lot width requirement. The actual limits of construction on Lot 2A are established further westward at the 25 foot nontidal wetland buffer associated with the pond.

If you have any questions or comments, please advise.

Thank you,

Lane Engineering, LLC

Marsha Usilton, Office Manager

cc:

Stephan Strothe C. Temple & Patricia Rhodes Karl Phillips, Esq. Jeff Thompson, Esq. Jack Kirby

# Lane Engineering, LLC

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October 17, 2007

### HAND DELIVERED

Queen Anne's County Department of Land Use, Growth Management and Environment 160 Coursevall Drive Centreville, MD 21617

ATTN: Jennifer Jackson Rhodes Land Use Planner

RE: LANDS OF REED CREEK, LLC

**MINOR SUBDIVISION #03-07-08-0012** 

#### Dear Jennifer:

As per your comment letter dated September 7, 2007, the following is a point-by-point response addressing County review comments for the above referenced Subdivision:

### **Department of Public Works**

### Stormwater Management/Roads:

Plat Review Comments:

- 1. Surveyor's certificate has been corrected on Sheet 1 of the plat.
- 2. A note has been added to the plat regarding Floodplain requirements. (See Note #18)

### Plan Review Comments:

- 1. A note has been added to Sheet 2 of the plans specifying the coordination with the U.S. Fish & Wildlife Service regarding development or disturbance of the site.
- 2. A note has been added to the plat regarding Floodplain requirements. (See Note #20)
- 3. The ditches are now shown in the road profiles.
- 4. Horizontal curve data is now provided.
- 5. Labels have been added to the plat showing widths of right-of-way, pavement and shoulder.
- 6. Dimensions for the turnaround have been provided on Sheet 6 of 6.
- 7. The road now stops short of the barn.
- 8. Proposed temporary benchmarks have been provided on the plan.
- 9. A construction stakeout table has been added to the plan.
- 10. Three coordinate grid tics have been provided per plan sheet.
- 11. A 25 foot fillet radius has been provided on the entrance to Wrights Neck Road.
- 12. Proposed roadway signage has been provided on the plan along with a note regarding the installation of the signage. (see Note #21)
- 13. A note regarding as-built certification has been added to the plan. (See Note #22)

14. An engineer's cost estimate for proposed road construction is included with this submittal.

#### General Comments:

- 1. Applicant understands NRCS and Soil Conservation must approve and sign the plans prior to DPW signature.
- 2. The DPW checklist for plan signature will be completed prior to DPW signature of plans.
- 3. All certificates on the plat will be signed prior to DPW signature.

### Heritage Coordinator

1. The existing barn is a new structure (metal pole barn). The barn location is in the vicinity of the location of a historic farmhouse that is no longer there. See attached documentation of Maryland Historical Trust for inventory site QA-112. (See plat note #10)

### **Critical Area Commission**

- 1. Tidal and nontidal wetlands that would potentially impact development buffers in the vicinity of the proposed development disturbance have been field delineated by a qualified professional. See Sheet 1 Note #8 and attached letter from M. Stark McLaughlin.
- 2. The 100 foot Critical Area Buffer has been expanded as necessary for non-tidal wetlands, steep slopes, hydric soils and highly erodible soils. For purposes of clarity the critical area buffer is shown as a shaded area on Sheets 3, 4, 5, 6, 7 and 8. Attached is an exhibit showing the location of steep slopes greater than 15% along the shoreline. Buffer expansion is not required for steep slopes. There are no mapped highly erodible soils. The buffer has been expanded to include adjacent non-tidal wetlands and hydric soils.
- 3. There is a small section of tributary stream shown on Sheet 3 connecting a pond to a nontidal wetland. It is shown with the appropriate 100 ft. buffer as it impacts the subject property.
- 4. There are no SRAs located within the 100 ft. buffer.
- 5. Sheet 1 Note #16 addresses habitat protection. The protection zones for the off-site Bald Eagle nest are shown on the plat. No clearing or development activity is proposed in the vicinity of any woodland so potential Delmarva Fox Squirrel Habitat is not impacted. Anadronmous Fish Spawning waters and historic waterfowl concentration areas could be impacted by future shoreline stabilization or pier construct and should be addressed through permitting for those improvements if and when they are proposed.
- 6. Buffer management plans are typically addressed at the time of building permit application in Queen Anne's County. The proposed subdivision requires 3.062 acres of Critical Area afforestation which 1.74 acres are located within the 100 ft. Critical Area Buffer to supplement existing forest areas within the buffer.
- 7. In Queen Anne's County the private road is a separate fee simple right-of-way jointly owned and maintained by Lots 2A & 2B.

## Department of Land Use, Growth Management & Environment:

General Comments:

- 1. Lane Engineering, LLC did not submit the pending subdivision applications and does not know the status.
- 2. Please see Response #1 above.
- 3. Applicant understands if pending subdivisions are approved prior to this application then this subdivision will require review as a major subdivision.
- 4. The power company letter will be submitted once received.

- 5. Application has been revised to show private septic system.
- 6. Parcel 3 has been shown as an adjacent property owner.
- 7. Capacity Calculations are not applicable to Large Lot Subdivisions.
- 8. Several sites were tested for SRAs. The SRAs shown on the plat are the approved sites.
- 9. Lot 2B will have a separate entrance off the road. A cross access easement is not proposed at this time.
- 10. A wetlands determination is enclosed with this submittal.
- 11. All certificates will be signed and sealed with final submittal.
- 12. After review of the easement document it appears only Lot 2 has ability to upgrade road to a public or private road status. (copy of recorded easement enclosed)
- 13. Plat now accurately shows all existing forested areas.
- 14. Applicant is addressing issues with the existing barn directly with the Permits Office and Department of Environmental Health.

#### Minor Subdivision

#### Sheet 1

- 1. Impervious area calculations have been provided on the plat and include the new house.
- 2. Name of Agency corrected.
- 3. Steven Cohoon's title has been revised.
- 4. Subdivision number has been added to the plat.
- 5. Surveyor's certificate has been corrected on Sheet 1 of the plat.

#### Sheet 2

- 1. Property lines have been adjusted accordingly to show required 50 ft. front, rear and side setbacks. The existing barn is permitted with the front setback of Lot 2A per Section 18:1-45B(3).
- 2. The scale block has been revised on all sheets.
- 3. A legend has been added to this sheet.
- 4. The location of the new house/garage has been provided on the plat.
- 5. Proposed well locations have been provided.
- 6. We have the poles shown on the plat but cannot find and recorded utility easement.
- 7. Building setbacks have been provided.
- 8. The configuration of L82, L83, L84 etc. has been clarified on the plat.
- 9. The Hunting blinds have been added to the plat and are labeled as such.
- 10. The locations of the removed and replanted trees have been provided on the plat.
- 11. The amounts in the resource protection table have been converted to acreages.
- 12. Eagles Nest Note has been corrected.

#### Sheet 3

- 1. The non-tidal wetlands buffer has been depicted on the plat.
- 2. The legend has been revised.
- 3. Building setbacks have been provided.

### Sheet 4

- 1. Building setbacks have been provided.
- 2. The Eagles Nest Zone has been corrected.
- 3. Afforested Area has been removed from Sheet 4 and addressed on the Critical Area Forestation Plan.
- 4. Afforested Area has been removed from Sheet 4 and addressed on the Critical Area Forestation Plan.

5. Afforestation has been addressed on the Critical Area Forestation Plan on Sheets 6 – 8 of the plat.

### Sheet 5

1. Building restriction lines have been labeled.

### Critical Area Comments

- 1. See separate exhibit showing steep slope locations along shoreline. Buffer expansion is not required for steep slopes.
- 2. Area to be retained in AG use is not known at this time.
- 3. The Limits of Disturbance are shown on Sheets 2 & 5 of the plat.
- 4. The location of anadronmous fish spawning streams have been provided on the plat.
- 5. A copy of the DNR's Heritage letter is enclosed.
- 6. Notes regarding habitat protection are included with the plat and habitat protection measures are described in the Critical Area Environmental Assessment.

The Environmental Assessment has been revised to meet the requirements necessary for review. If you have any questions, please do not hesitate to call the office.

Thank you, Lane Engineering, LLC

Marsha Usilton, Office Manager

cc:

Stephan Strothe lei #070178/A115

## Lane Engineering, LLC

Established 1986

Civil Engineers - Land Planning - Land Surveyors

15 Washington Street Cambridge, Maryland 21613 Tel 410-221-0818 Fax 410-476-9942 117 Bay Street P.O. Box 1767 Easton, Maryland 21601 Tel 410-822-8003 Fax 410-822-2024

114 West Water Street Centreville, Maryland 21617 Tel 410-758-2095 Fax 410-758-4422

August 20, 2007

### HAND DELIVERED

Steve Cohoon, Acting Director Queen Anne's County Department of Planning and Zoning 160 Coursevall Drive Centreville, MD 21617

RE:

LANDS OF REED CREEK, LLC

QUEEN ANNE'S CO. TAX MAP 43, GRID 11, PARCEL 7, LOT 2

Dear Mr. Cohoon:

Enclosed you will find a Plat submittal showing a Minor Subdivision of referenced land. The intent of this plat is to subdivide existing Lot 2 to create two lots, (Lots 2A & 2B) and a private road using the Large Lot subdivision technique.

The property is located within the Chesapeake Bay Critical Area (RCA). Therefore, an Environmental Assessment has been prepared and is included with this submittal. Critical Area and Non Critical Area Forest Conservation requirements for existing Lot 2 were previously addressed by Subdivision #03-01-10-0011 approved on 10-1-02.

### Please find the following:

- Twelve (12) copies of the plat and completed application;
- Twelve (12) copies of the Infrastructure plans for the proposed private road;
- Two (2) copies of deed of record;
- A check made payable to Queen Anne's County Commissioners in the amount of \$1,250.00 representing the required Development Review Fee;
- Letters to the Phone and Power Companies requesting service availability;
- Adjacent property owner notification certified mail receipts;
- Environmental Assessment Report;
- Critical Area Project Notification Application;
- Stormwater Management Report;
- Copy of the Wetland permit application dated August 1, 2007.

If you have any questions, please call the office. We request all comments be directed to our Centreville office.

Sincerely, Lane Engineering, LLC Mausha Usultow Marsha Usilton, Office Manager

# CHESAPEAKE BAY CRITICAL AREA ENVIRONMENTAL ASSESSMENT

### FOR

Reed Creek LLC Stephan Strothe 1620 I Street NW Washington, DC 20006

Wrights Neck Road Centreville, MD 21617

PREPARED BY: LANE ENGINEERING, LLC 114-B WEST WATER STREET CENTREVILLE, MD 21617

> Date July 30, 2007 JOB # 070178

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### SECTION ONE

Statutory Requirements: The Queen Anne's County Code requires that Technical Plans be prepared in accordance with Title 14 ENVIRONMENTAL PROTECTION SS 14-133 for any development or subdivision proposed within the Critical Areas. The purpose of these technical plans is to assist Queen Anne's County in assessing and evaluating potential impacts from the proposed subdivision of a parcel of land in Queen Anne's County that requires site plan or subdivision approval. These technical plans have been prepared in accordance with the guidelines for content as set forth in the Critical Area Zoning Code.

Project Summary: The owner, Stephan Strothe, proposes to subdivide Parcel 7, Lot 2 into 2 new lots; lot 2A containing 1,058,508 square feet (24.30 acres) and lot 2B containing 1,212,274 square feet (27.83 acres) of land within the critical area. This development is to be completed in conformance with the regulations in the Queen Anne's County Zoning Code.

As noted on Queen Anne's County Resource Map No. 43, Development Area Designation, the Critical Area portion of the site is zoned as RCA- Resource Conservation Area. The County Zoning is CS - Countryside - Agricultural Use.

<u>Project Location</u>: The project site is located in the Third (3) Election District Map 43, Parcel 7, and Lot 2. The subject site is located within the Critical Area associated with Reed Creek and the Corsica River.

<u>Project & Site Description</u>: Currently, the Critical Area RCA portion of the site (51.36 acres) is improved with an existing storage barn and driveway. The property is serviced by private water and has 2 approved septic reserve areas on the site. The remainder of the site is in crop production, wildlife plantings, grass water ways and forest tree cover buffer plantings. The site is buffered by a scattered number of mature trees and shrubby areas on the shoreline.

#### **SECTION TWO**

#### Planting & Forest Management / Amount & Type of Forest Cover

Currently the site has forest cover on approximately 18% of the site. The existing cover consists of a naturally forested buffer of trees on the edges of the creek, nontidal wetland bottomlands and afforestation plantings on 2 locations on the farm. No additional afforestation is required. The required 15% forest coverage was confirmed at the time of the original subdivision for the property.

FOREST TYPE	SQUARE FEET	ACRES	PERCENT
Buffer edge mixed	86,208.43	1.979	3.853
hardwoods			
Afforestation Planting	106,314.00	2.441	4.752
Afforestation Planting	36,036.60	0.827	1.610
Afforestation Planting	70,567	1.62	3.154
Bottomland	66,658.62	1.530	2.979
Hardwoods			
Mixed hardwoods	47,869.62	1.098	2.137
TOTALS	343,087.27	9.495	18.485

#### **SECTION THREE**

#### **Habitat Protection Plan**

A review of the available data bases for records of rare, threatened or endangered plant or animal communities is on file with the State of Maryland or Federal reviewers was requested(see Heritage Letter attached). The State of Maryland recognized the presence of a Bald Eagle nesting site near the property. The location of the nest was field confirmed on August 1, 2007. The location of the nest is on an adjoining property and greater than ¼ mile from any proposed development activities on this site. There are no known occurrences of endangered Delmarva Fox Squirrels on the property but the property is within the range of this endangered species. All improvements are proposed within the open cropland areas of the site and no woodlands are proposed for clearing. The forest cover on the property is generally linear in composition and does not provide consistent or contiguous forested habitat required for Delmarva Fox Squirrels. It is extremely doubtful that any Delmarva Fox Squirrels are present on the property or in the immediate vicinity of the proposed development.

As part of standard procedure, the Queen Anne's County Habitat maps were reviewed. The Natural Resource Maps dated July 1995 indicate no Historic Waterfowl Staging Areas, no Colonial Water bird Nesting Sites, no Anadromous Fish Spawning Grounds, no Delmarva Fox Squirrel Habitat and no Oyster Bars in the immediate vicinity of the project. The Map did indicate the presence of a state and federally protected species, which was confirmed on the adjoining property as an active Bald Eagle nest site.

#### SECTION FOUR

## Cooperators / Farm Plan / Existing Agricultural Activities on Site

There is currently be farmed by Mr. Henry Covington. The majority of the site will remain in crop production and not impacted by development activities. There is a current Farm Management Plan approved by the Queen Anne's County Natural Resources and Conservation Service - Soil Conservation District in place to provide for nutrient management and Best Management Practices to be utilized on the site.

#### SECTION FIVE

#### Shoreline Erosion Plan / Natural Park Management Plan

No development is proposed in the shoreline vicinity of the site. The site is not proposed for a natural park and Queen Anne's County has proposed no park plans.

#### SECTION SIX

#### Ten Percent Pollutant Reduction

The site is designated as Resource Conservation Area (RCA). The 10 percent pollutant reduction rule does not apply.

#### **SECTION SEVEN**

#### Amount and Type of Wetlands

The site has both tidal and non tidal wetlands located on the property. The tidal wetlands located on portions of the edge of Reeds Creek and are mapped Cattails (44), Mudflat (81) and Big Cordgrass (48) on the State Wetlands inventory maps. The field investigation of the tidal wetlands confirmed the presence of the tidal wetlands as mapped. The areas of cordgrass are contained to the outer edge of the tidal influences having been replaced with the more aggressive and invasive Giant Reed.

A nontidal wetland investigation has been performed on the subject property. Nontidal wetlands are located in association with the ponds and headwaters of Reed Creek. The nontidal wetlands are mapped as POWZh, Palustrine Open Water Intermittently Expose/Permanent; PFO1C, Palustrine Forest Broadleaved Deciduous Seasonal; PFO1R, Palustrine Forest Broadleaved Deciduous Seasonal Tidal and E2EM5P, Estuarine Inter-tidal Emergent Narrow leaf persistent Irregular. The ponds, emergent and forested wetlands cover approximately 6.0 acres of the site. Tidal and inter tidal wetlands occupy approximately 1.8 acres within the boundaries of the property.

#### SECTION EIGHT

#### Soil types, Steep Slopes & Topography

There are ten (10) soil types mapped for this site. The 2 dominate soil types are MTA, Mattapex-Butlertown and Wh, Whitemarsh silt loam. These soils occupy the center portions of the site and are currently in crop production. The Mattapex-Butlertown soils are a prime farmland soil. The Whitemarsh is a farmed hydric soil. The remaining soils in the farmed portions of the site are either silt or sandy loams. Pineyneck, silt loam, Ingleside sandy loam and Unicorn-sassafras silt loams are found on the edges and sloping areas of the fields. The farmed fields contain areas of gently sloping ground ranging from 2 to 10%. The steepest sites are nearest the creek and shoreline. Hydric soils directly associated with the tidal and nontidal wetlands include Longmarsh & Zekiah mucky loams, Bestpitch peat, and Hurlock sandy loam.

#### **SECTION NINE**

#### Existing and Proposed Sewer and Water Service

The site will be served by private on site sewer and water facilities. Two approved Septic Reserve Areas are located on the property a private well serves the existing barn.

#### SECTION TEN

#### Existing and Proposed Impervious Surfaces

The currently existing impervious surfaces on the site are a barn and gravel paved driveway.

Area of Critical Area-----2,237,024 SF

Allowable Impervious Area--------335,553 (15% of 2,237,024 SF)

Existing Barn-----------------------4,879

Existing Paving	1,080
Proposed Future Garage	664
Proposed Dwelling	2,449
Proposed paving	360
Total Proposed Impervious Area	9,432
Remaining Allowable Impervious Area	326,121

#### **SUMMARY**

The site is currently improved with a barn and paved private driveway. The majority of the site is in agriculture with established shoreline buffers and various conservation best management practices in place on the ground. The shore lines are stable with minimal amounts of erosion directly on the high banks of the creek. The majority of the site is within the limits of the Critical Area, forest lands comprise 9.45 acres or 18.4% of the site. No additional afforestation will be required for Critical Areas. No forest is proposed to be removed for the planned site improvements. Total impervious cover with the addition of the proposed paving, dwellings and out buildings will not exceed 15 percent of the total site area. A Joint Application for the proposed impacts to the non tidal wetlands will be submitted to the Maryland Department of the Environment and the US Army Corp of Engineers. A total of 93 square feet nontidal wetlands and 9,507 square feet of their associated buffers will be disturbed for the redesign of the paved driveway. Given these circumstances, we believe that there will be no adverse environmental impact resulting from the proposed development activities on the site.

## KEY TO SITE PHOTOS:

- 1. Entrance to property from Wrights Neck Road
- 2. Large pond and driveway view toward Wrights Neck Road.
- 3. Existing storage barn.
- 4. View toward Reed Creek from center portion of the property.











Martin O'Malley, Governo Anthony G. Brown, Lt. Governo John R. Griffin, Secretary Eric Schwaab, Deputy Secretary

June 20, 2007

Ms. Marsha Usilton Lane Engineering, LLC 114 West Water Street Centreville, MD 21617

RE: Environmental Review for Lands of Reed Creek LLC, Wrights Neck Road, Centreville, Tax Map 43, Grid 11, Parcel 7, Lot 2, Job #070178 File A115, Queen Anne's County, Maryland.

Dear Ms. Usilton:

A bald eagle nest occurs on the property. The bald eagle is listed as a threatened species by both the state and the federal government. Protection of endangered species habitat is required within the Critical Area (COMAR 27.15.09.03). The approximate location of the eagle nest on the property is indicated on the attached map. To protect this nest site the following guidelines should be implemented:

- 1. Establish a protection area of ¼ mile radius around the nest tree. Within this area, establish three zones of protection: Zone 1 extends from the nest tree to a radius of 330 feet, Zone 2 extends from 330 feet to 660 feet in radius, and Zone 3 extends from 660 feet to ¼ mile (1320 ft).
- 2. No land use changes, including development or timber harvesting, should occur in Zone 1.
- 3. Construction activities, including clearing, grading, building, etc., should not occur within Zones 1 and 2 and ideally no closer than 750 feet from the nest.
- 4. Selective timber harvesting may occur in Zone 2, but clearcutting should be avoided.
- 5. No construction or timber harvesting activities should occur within the ¼ mile protection zone during the eagle nesting season, which is from December 15 through June 15.

These general guidelines are used by our biologists for bald eagle nest site protection. Specific protection measures depend on the site conditions, planned activities, nest history and other factors. For more specific technical assistance regarding your project relative to bald eagle protection contact the WHS.

#### Page 2

Though there are no known occurrences of endangered Delmarva fox squirrels on the property, your project may need federal approval because the property is within the range of this endangered species. The Delmarva fox squirrel is listed by the federal government as endangered and as such protection for this species comes under federal jurisdiction as well. Federal requirements may differ from ours. To avoid any violations of the federal Endangered Species Act during your project implementation we suggest you consult with Mary Ratnaswamy, U.S. Fish & Wildlife Service, 177 Admiral Cochrane Drive, Annapolis, MD 21401.

In addition, the open waters that are adjacent to or part of the site are known historic waterfowl concentration areas. If there is to be any construction of water-dependent facilities please contact Larry Hindman of the Wildlife and Heritage Service at (410) 221-8838 for further technical assistance regarding waterfowl.

Thank you for allowing us the opportunity to review this project. If you should have any further questions regarding this information, please contact me at (410) 260-8573.

Sincerely.

Son a. Bym

Lori A. Byrne,

Environmental Review Coordinator Wildlife and Heritage Service

MD Dept. of Natural Resources

ER #2007.0876.qa

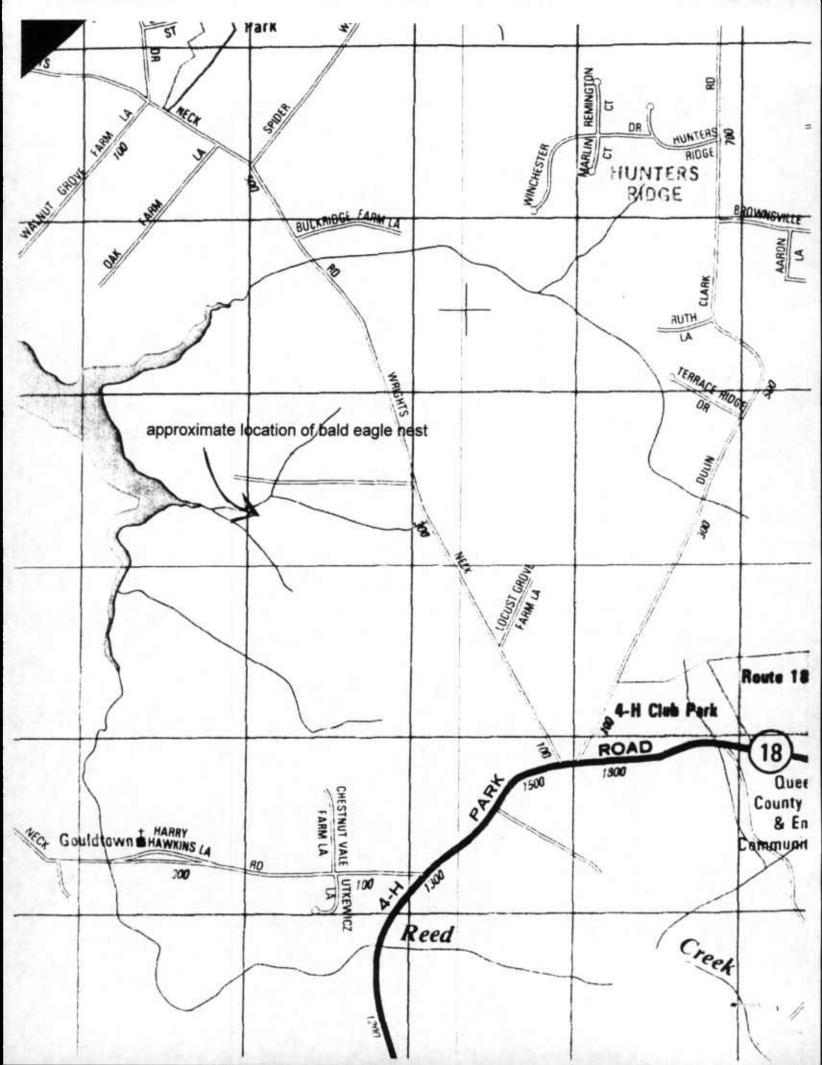
Cc: S.A. Smith, DNR

L. Hindman. DNR

L. Hoerger, CAC

M. Ratnaswamy, USFWS

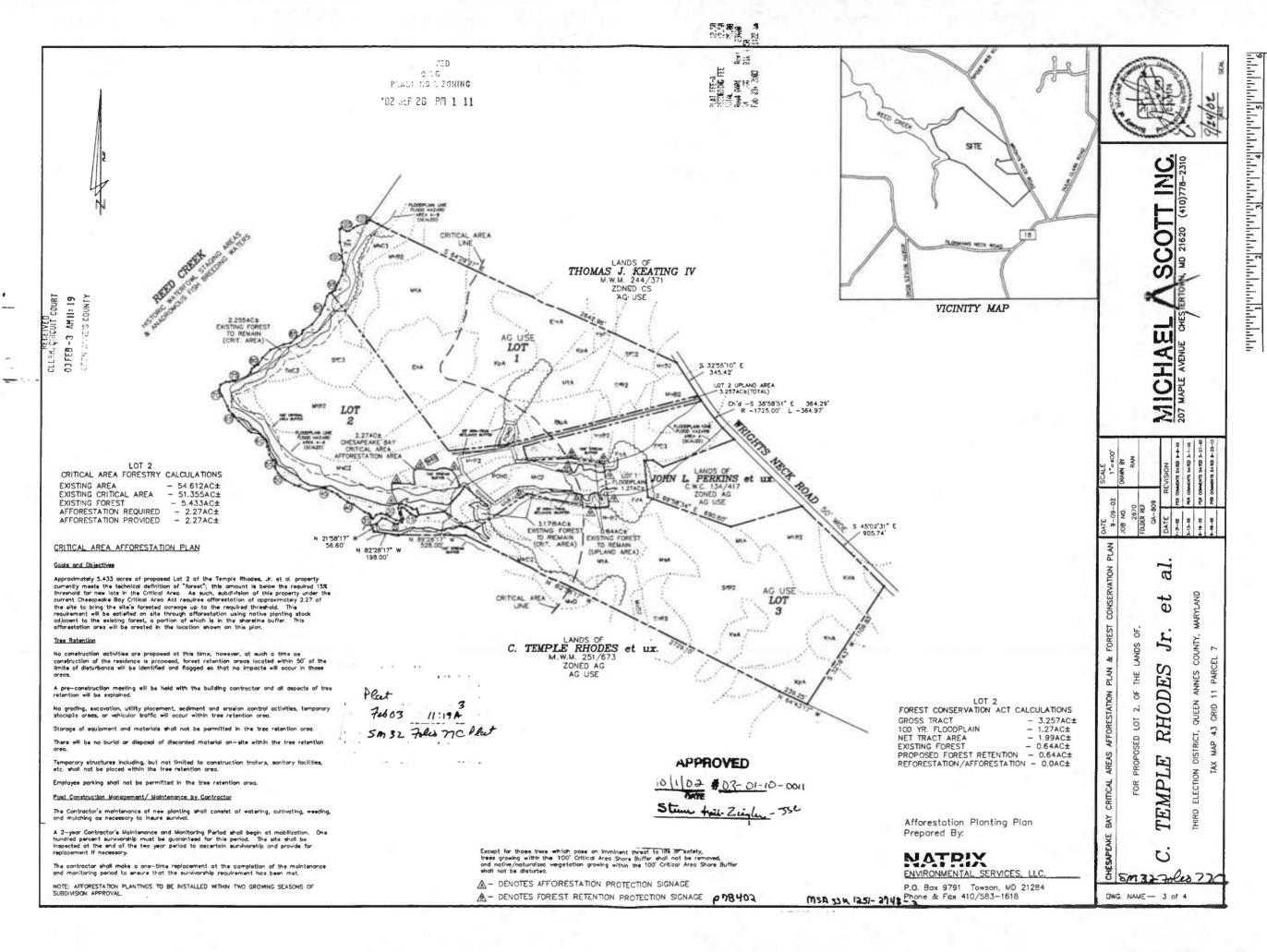
Attachment



Solo HILL

M3A354 1251-2748-1

P78400



405 WRIGHTS NECK ROAD CENTREVILLE, MARYLAND, 21617

SITE STATISTICS: CURRENT ZONING: CS (COUNTRYSIDE DISTRICT) 51.407 ACRES CRITICAL AREA, RCA

DEED REFERENCE: S.M. 1439/548 PLAT REFERENCE: S.M. 32/77A-77D 3.205 ACRES NON CRITICAL AREA CURRENT USE: AGRICULTURAL

LARGE LOT SUBDIVISION: NO. OF LOTS PERMITTED: 2 (1 DU/20 AC.) NO. OF PROPOSED LOTS: 2 BASE SITE AREA: 54.612 AC.± AREA OF PROPOSED LOT 2A: 24.304 AC.± (22.452 ACRES IN CRITICAL AREA, RCA) AREA OF PROPOSED LOT 2B: 27.833 AC.± (27.833 ACRES IN CRITICAL AREA, RCA) AREA OF PROPOSED ROAD: 2.475 AC.± ( 1.122 ACRES IN CRITICAL AREA, RCA)

BUILDING RESTRICTION LINE: ..50/100 FEET .50 FEET MINIMUM LOT SIZE .. .20 ACRES MINIMUM LOT FRONTAGE... ..35 FEET MINIMUM LOT WIDTH .... ..500 FEET

#### CRITICAL AREA LOT COVERAGE CALCULATIONS:

LOT 2A CRITICAL AREA: 978,009 SQ. FT. 146,700 SQ. FT. (15% OF 978,009) IMPERVIOUS AREA ALLOWED = EXISTING IMPERVIOUS AREA - BARN = 4,879 SQ. FT. CONCRETE = 1,080 SQ. FT. 1,621 SQ. FT. HOUSE = GARAGE = 769 SQ. FT. 7.073 SQ. FT. (1/2 PRIVATE ROAD) 15,422 SQ. FT. ALLOWABLE IMPERVIOUS AREA REMAINING = 131,278 SQ. FT.

LOT 2B CRITICAL AREA: 1,212,405 SQ. FT. IMPERVIOUS AREA ALLOWED = 181,860 SQ. FT. (15% OF 1,212,405) EXISTING IMPERVIOUS AREA = 0 SQ. FT. PROPOSED IMPERVIOUS AREA = 7.073 SQ. FT. (I/2 PRIVATE ROAD) TOTAL = 7,073 SQ. FT.

ALLOWABLE IMPERVIOUS AREA REMAINING = 174,787 SQ. FT.

#### **SURVEYOR'S CERTIFICATE:**

THIS IS TO CERTIFY THAT THE UNDERSIGNED, REGISTERED MARYLAND PROPERTY LINE SURVEYOR No. 340, HAS SURVEYED AND SUBDIVIDED THE PROPERTY AS DESCRIBED AND SHOWN ON THE ANNEXED PLAT AND THAT SUCH PLAT IS A CORRECT REPRESENTATION OF THAT SURVEY AND SUBDIVISION. ALL DISTANCES ARE SHOWN IN FEET AND DECIMALS THEREOF. ALL LOTS MEET THE REQUIREMENTS OF THE QUEEN ANNE'S COUNTY ZONING ORDINANCE IN REGARD TO LOT AREA, WIDTH AND BUILDABLE AREA.

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

I FURTHER CERTIFY THAT THIS SUBDIVISION IS SITUATED WITHIN 500 FEET OF A SURFACE DRAIN OR WATER COURSE SERVING A TRIBUTARY AREA OF 640 ACRES OR MORE. 2 nd

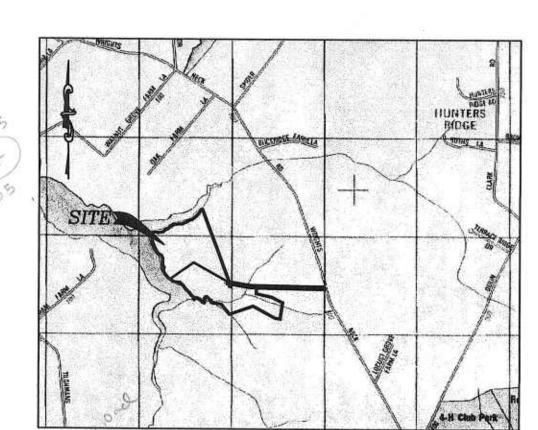
December

(hmas O/ THOMAS D. LANE LANE ENGINEERING, LLC.

AS WITNESS MY HAND AND SEAL THIS

354 PENNSYLVANIA AVE. CENTREVILLE, MARYLAND, 21617

- 1. THE OUTLINE BOUNDARY OF THE LANDS SHOWN HEREON INCLUDING APPROXIMATE MEAN! HIGH WATER WAS ESTABLISHED FROM A LARGE LOT SUBDIVISION PREPARED BY MICHAEL SCOTT, INC. DATED SEPTEMBER 9, 2002.
- 2. SOIL TYPES = Ca, Bp, HnB, IgB, IgC, Lz, MkB, MtA, MtB, NsA, NsB, PiB, PiC, UsC, AND Wh PER QUEEN ANNE'S COUNTY SOILS MAP 24 OF 47.
- 3. STORMWATER MANAGEMENT MUST BE ADDRESSED WITH ANY BUILDING PERMIT APPLICATIONS FOR LOTS 2A AND 2B. STORMWATER MANAGEMENT FOR ROAD IMPROVEMENTS AS SHOWN ON "IMPROVEMENT PLAN FOR REED CREEK, LLC" PREPARED BY LANE ENGINEERING, LLC DATED 8-7-07.
- 4. A PORTION OF THE SITE IS LOCATED WITHIN THE CRITICAL AREA (RCA).
- 5. THE LAND SHOWN HEREON IS LOCATED IN FLOOD ZONES "C", "A", AND "A8 (ELEV 7) AS PER FIRM COMMUNITY-PANEL NUMBER 240054 0033 B, DATED SEPTEMBER 28, 1984.
- 6. PROPOSED LOTS 2A & 2B TO BE SERVED BY PRIVATE SEWER AND WATER.
- 7. THE STREAMS SHOWN HEREON WERE FIELD LOCATED BY LANE ENGINEERING, LLC.
- 8. THE NONTIDAL WETLANDS SHOWN ON SHEETS 4 AND 5 OF THIS PLAT WERE FIELD IDENTIFIED BY A QUALIFIED PROFESSIONAL AND FIELD LOCATED BY LANE ENGINEERING, LLC. NONTIDAL WETLANDS SHOWN ON SHEET 3 OF THIS PLAT WERE TAKEN FROM THE NATIONAL WETLANDS INVENTORY MAP OF LANGFORD CREEK, MD.
- 9. THERE ARE NO STEEP SLOPES PROPOSED TO BE DISTURBED IN THIS SUBDIVISION.
- 10. THERE ARE NO KNOWN HISTORIC STRUCTURES ON THE PROPERTY SHOWN HEREON. THIS SITE IS THE FORMER LOCATION OF AN HISTORIC HOME. (QA-112, "REED LEA")
- 11. NO ABSTRACT OF TITLE, TITLE COMMITMENT NOR RESULTS OF A TITLE SEARCH HAVE BEEN FURNISHED TO LANE ENGINEERING, LLC. OTHER DOCUMENTS OF RECORD MAY EXIST THAT MAY AFFECT THE SURVEYED PROPERTY REFLECTED HEREON, INCLUDING BUT NOT LIMITED TO EASEMENTS, ENCUMBRANCES, RESTRICTIVE COVENANTS, PLAT RESTRICTIONS OR ANY OTHER FACTS THAT AN ACCURATE, COMPLETE AND CURRENT TITLE SEARCH MAY DISCLOSE.
- 12. THE EXISTING WOOD LINES SHOWN HEREON WERE FIELD DELINEATED BY LANE ENGINEERING, LLC. UNDER SECTION 18:1-66(B)(2) NO MORE THAN 40% OF THE WOODLANDS ON A LOT MAY BE DISTURBED. NO TREE CLEARING IS PROPOSED.
- 13. ELEVATIONS SHOWN HEREON ARE REFERENCED TO NGVD 29 AND BASED ON F.E.M.A. REFERENCE MARK "RM120", ELEVATION 51.48.



MAJOR SUBDIVISION

LANDS OF REED CREEK, LLC

VICINITY MAP SCALE 1" = 2000 Copyright of the ADC Map People Permitted Use No. 20992180

PURPOSE AND INTENT STATEMENT:
THE PURPOSE OF THIS PLAT IS TO SUBDIVIDE THE EXISTING LOT 2 (54.612 AC±) TO CREATE TWO LOTS, LOT 2A (24.304 AC±) AND LOT 2B (27.833 AC±), AND A PRIVATE ROAD (2.475 AC.±).

14. THE PROPOSED SUBDIVISION DOES NOT CREATE ANY NON-CONFORMING LOTS.

15. AFTER THIS PLAT IS FINALLY APPROVED AND RECORDED, ANY PRIOR SIZE OR CONFIGURATION OF ALL OR ANY PART OF THE LAND SHOWN ON THIS PLAT, OR THE PRIOR STATUS OF ANY SUCH LAND AS A "LOT" UNDER ANY LAND USE & DEVELOPMENT REGULATIONS, IS SUPERSEDED BY THE SIZE AND CONFIGURATION OF THE LOTS SHOWN ON

16. THE WILDLIFE AND HERITAGE SERVICE HAS DETERMINED THAT THE SITE CONTAINS OR IS IN THE VICINITY OF HABITAT PROTECTION AREAS FOR BALD EAGLES, DELMARVA FOX SQUIRRELS, AND HISTORIC WATERFOWL CONCENTRATION AREAS. PROPOSED DEVELOPMENT SHALL BE IN ACCORDANCE WITH THE MARYLAND DEPARTMENT OF NATURAL RESOURCE GUIDELINES FOR HABITAT PROTECTION FOR EACH SPECIES. A BALD EAGLE'S NEST OFF SITE HAS BEEN LOCATED BY LANE ENGINEERING AND SHOWN HEREON.

17. PROPOSED DRIVEWAYS SHOULD BE CONSTRUCTED IN ACCORDANCE WITH QUEEN ANNE'S COUNTY STANDARD DETAIL NO. 105.02. ENTRANCE PERMITS SHOULD BE OBTAINED FROM THE QUEEN ANNE'S COUNTY ROADS DIVISION AT 410-758-0920 PRIOR TO CONSTRUCTION OF ANY TEMPORARY OR PERMANENT ENTRANCES WITHIN THE COUNTY RIGHT-OF-WAY.

18. DEVELOPMENT MUST COMPLY WITH THE COUNTY FLOODPLAIN ORDINANCE. FLOODPLAIN REQUIREMENTS MUST BE ADDRESSED WITH BUILDING PERMIT. NO DEVELOPMENT SHOULD DOCCUR WITHING THE FLOOD ZONE "A" IN ACCORDANCE WITH THE FLOODPLAIN ORDINANCE.

THERE SHALL BE NO BASIS, UNDER THIS ORDINANCE, FOR RECOURSE AGAINST THE EFFECTS OF ANY NORMAL FARMING OPERATIONS CONDUCTED IN ACCORDANCE WITH STANDARD AND ACCEPTABLE BEST MANAGEMENT PRACTICES. NORMAL AGRICULTURAL AFFECTS INCLUDE, BUT ARE NOT LIMITED TO, NOISE, ODOR, VIBRATION, FUMES, DUST, SPRAY DRIFT

#### SUBDIVISION HISTORY:

EXISTING LOT 2 WAS CREATED AS A LARGE LOT BY AN APPROVED PLAT ENTITLED "LARGE LOT SUBDIVISION OF THE LANDS OF TEMPLE RHODES JR. ET AL" PREPARED BY MICHAEL SCOTT, INC. DATED 9-09-02, RECORDED IN THE LAND RECORDS OF QUEEN ANNE'S COUNTY PLAT BOOK S.M. 32/77A-77D, QUEEN ANNE'S COUNTY PLANNING AND ZONING FILE #03-01-10-0011, APPROVED 10-1-02. PARCEL 83 WAS CREATED FROM THE ORIGINAL TRACT IN JUNE 1976 (QUEEN ANNE'S COUNTY LAND RECORDS LIBER 109 FOLIO 55) AND A SMALL AREA FROM ORIGINAL TRACT WAS ADDED TO PARCEL 83 IN 1978 (QUEEN ANNE'S COUNTY LAND RECORDS LIBER 134 FOLIO 419).

CRITICAL AREA AND NON CRITICAL AREA FOREST CONSERVATION REQUIREMENT FOR EXISTING LOT 2 WERE PREVIOUSLY ADDRESSED BY AN APPROVED PLAT ENTITLED "LARGE LOT SUBDIVISION OF THE LANDS OF TEMPLE RHODES JR. ET AL" PREPARED BY MICHAEL SCOTT, INC. DATED 9-09-02, RECORDED IN THE LAND RECORDS OF QUEEN ANNE'S COUNTY PLAT BOOK S.M. 32/77A-77D. LOT 2A CONTAINS 2.27 ACRES FOREST CONSERVATION EASEMENT

## PLANNING COMMISSION CERTIFICATE

GEORGE J. EBER, DIVISION CHIEF

THIS IS TO VERIFY THAT THE ANNEXED PLAN OF SUBDIVISION WAS APPROVED BY THE QUEEN ANNE'S COUNTY PLANNING COMMISSION ON THE \_\_\_\_\_ DAY OF \_\_\_\_

#### FRANK FROHN

## QUEEN ANNE'S COUNTY DEPARTMENT OF EMERGENCY SERVICES-OFFICE OF THE FIRE MARSHAL CONTAINED.

THIS IS TO CERTIFY THAT THE SITE PLAN WAS APPROVED BY THE DEPARTMENT OF EMERGENCY SERVICES - OFFICE OF THE FIRE MARSHAL ON THE \_\_\_\_ DAY OF \_\_, 2009.

#### COUNTY ATTORNEY'S CERTIFICATE

THE UNDERSIGNED, COUNTY ATTORNEY FOR QUEEN ANNE'S COUNTY, HEREBY CERTIFIES THAT ACCEPTABLE SURETY FOR REQUIRED IMPROVEMENTS SHOWN ON THE ANNEXED PLAT HAS BEEN FURNISHED IN ACCORDANCE WITH THE QUEEN ANNE'S COUNTY ZONING

ORDINANCE.	
CHRISTOPHER DRUMMOND	DATE
PUBLIC WORKS CERTIFICATE THIS IS TO VERIFY THAT THE ANNEXED PLAN DEPARTMENT OF PUBLIC WORKS OF QUEEN A OF	
18	
JOHN SCARBOROUGH  ENVIRONMENTAL HEALTH CERTIFICATE THIS IS TO VERIFY THAT THE ANNEXED PLAN ENVIRONMENTAL HEALTH DEPARTMENT OF QUEI DAY OF, 2009.	
JOHN NICKERSON	
FINANCE OFFICER'S CERTIFICATE  THE FINANCE OFFICER OF QUEEN ANNE'S CO NO DELINQUENT GENERAL TAXES AND NO RED LAND SHOWN ON THE ANNEXED PLAT AND THE	DEEMABLE TAX SALES AGAINST ANY OF THE

#### COUNTY FINANCE OFFICER

#### OWNER'S CERTIFICATE

THIS IS TO CERTIFY THAT I THE UNDERSIGNED AM THE OWNER OF THE LAND DESCRIBED IN THE SUBDIVISION PLAT AND THAT I HAVE CAUSED THE LAND TO BE SURVEYED AND SUBDIVIDED AS INDICATED THEREON FOR THE USES AND PURPOSES SET FORTH HEREIN. I ALSO CERTIFY TO THE BEST OF MY KNOWLEDGE THAT ALL RECORDED AND UNRECORDED EASEMENTS, RESTRICTIONS, RESERVATIONS OR COVENANTS HAVE BEEN INDICATED ON THE ANNEXED PLAT. I HEREBY ACKNOWLEDGE AND ADOPT THE SAME AS MY ACT THIS \_\_ DAY OF \_\_

ASSESSED AGAINST SUCH LAND. AS WITNESS MY SIGNATURE, THIS \_\_\_\_\_ DAY OF

R	EE	D	CREEK.	LLC

STATE OF \_

STEPHAN STROTHE	DATE
UNIFORM ACKNOWLEDGMENT ACT	

21117211	 	

, 2009, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED STEPHAN STROTHE, KNOWN TO ME (OR SATISFACTORILY PROVEN) TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED THAT THEY EXECUTED THE SAME FOR THE PURPOSES THEREIN

COUNTY OF

IN WITNESS WHEREOF I HERE UNTO SET MY HAND AND SEAL.

MY COMMISSION	EXPIRES:		
		NOTARY	PUBLIC

#### OWNER'S CERTIFICATE

THIS IS TO CERTIFY THAT I THE UNDERSIGNED AM THE OWNER OF THE LAND DESCRIBED IN THE SUBDIVISION PLAT AND THAT I HAVE CAUSED THE LAND TO BE SURVEYED AND SUBDIVIDED AS INDICATED THEREON FOR THE USES AND PURPOSES SET FORTH HEREIN. I ALSO CERTIFY TO THE BEST OF MY KNOWLEDGE THAT ALL RECORDED AND UNRECORDED EASEMENTS, RESTRICTIONS, RESERVATIONS OR COVENANTS HAVE BEEN INDICATED ON THE ANNEXED PLAT. I HEREBY ACKNOWLEDGE AND ADOPT THE SAME AS MY ACT THIS \_\_\_\_\_ DAY OF \_\_\_\_ \_\_\_\_\_ , 2009.

REED CREEK, LLC

STATE OF \_

SABINE ULBRICH	DATE
UNIFORM ACKNOWLEDGMENT ACT	

ON THIS,	
OFFICER, PERSONALLY APPEARED SABINE ULBRICH,	
PROVEN) TO BE THE PERSON WHOSE NAME IS SUE	BSCRIBED TO THE WITHIN INSTRUMENT
AND ACKNOWLEDGED THAT THEY EXECUTED THE SA	ME FOR THE PURPOSES THEREIN

COUNTY OF

IN WITNESS WHEREOF I HERE UNTO SET MY HAND AND SEAL.

MY	COMMISSION	EXPIRES:		
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SHEET INDEX

SHEET 1 - TITLE SHEET AND NOTES

SHEET 2 - OVERALL SUBDIVISION

SHEET 3 - PORTION OF PRIVATE ROAD & LOT 2A SHEET 4 - PORTION OF PRIVATE ROAD & LOT 2A

SHEET 5 - LOT 2B SHEET 6 - CRITICAL AREA FORESTATION & FSD/FCP

SHEET 7 - CRITICAL AREA FORESTATION SHEET 8 - CRITICAL AREA FORESTATION

#### **REVISIONS** DATE DESCRIPTION 16 OCT 07 ADDRESS QUEEN ANNE'S COUNTY COMMENTS S.M.C ADDRESS QUEEN ANNE'S 06 NOV 07 S.M.C. COUNTY COMMENTS UPDATE CERTIFICATION DATES & W.R.D. RETITLE AS "MAJOR SUBDIVISION" CRITICAL AREA COMMISSION hesaneake & Atlantic Coastal Bays

# <u> Lane Engineering,</u>

Established 1986

Civil Engineers • Land Planning • Land Surveyors



E-mail: mail • leinc.com
117 Bay St. Easton, MD 21601 (410) 822-8003
15 Washington St. Cambridge, MD 21613 (410) 221-0818
354 Pennsylvania Ave. Centreville, MD 21617 (410) 758-2095

UNLESS SIGNED AND DATED HERE:

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OCAL.	 	 	



# MAJOR SUBDIVISION

1 (AAA DOS (1)

Rorewed	OF
12/9/09	LLC
IN THE THRO ELECTION USES ANNES COUNTY	DISTRICT ARYLAND

... , U, PARCEL 7, LOT 2 DATE: BY:

ISSUED FOR: 25 DAY SUBMITTAL

12/2/09 WRD

A115

12-2-09

DATE

SHEET No. OF 8

SCALE: AS NOTED

JOB No. 070178

FILE No.

CENTREVILLE, MARYLAND, 21617 PROPERTY ADDRESS:

CENTREVILLE, MARYLAND, 21617

405 WRIGHTS NECK ROAD

# MAJOR SUBDIVISION LANDS OF REED CREEK, LLC

SITE STATISTICS: DEED REFERENCE: S.M. 1439/548 PLAT REFERENCE: S.M. 32/77A-77D CURRENT ZONING: CS (COUNTRYSIDE DISTRICT) 51.407 ACRES CRITICAL AREA, RCA

3.205 ACRES NON CRITICAL AREA CURRENT USE: AGRICULTURAL LARGE LOT SUBDIVISION: NO. OF LOTS PERMITTED: 2 (1 DU/20 AC.) NO. OF PROPOSED LOTS: 2

BASE SITE AREA: 54.612 AC.± AREA OF PROPOSED LOT 2A: 24.304 AC. ± (22.452 ACRES IN CRITICAL AREA, RCA) AREA OF PROPOSED LOT 2B: 27.833 AC.± (27.833 ACRES IN CRITICAL AREA, RCA) AREA OF PROPOSED ROAD: 2.475 AC.± ( 1.122 ACRES IN CRITICAL AREA, RCA) BUILDING RESTRICTION LINE:

FRONT.. ..50 FEET ..50/100 FEET ....50 FEET REAR. MINIMUM LOT SIZE. .20 ACRES MINIMUM LOT FRONTAGE... MINIMUM LOT WIDTH.

#### CRITICAL AREA LOT COVERAGE CALCULATIONS:

LOT 2A CRITICAL AREA: 978,009 SQ. FT. IMPERVIOUS AREA ALLOWED = 146,700 SQ. FT. (15% OF 978,009) EXISTING IMPERVIOUS AREA - BARN 4,879 SQ. FT. CONCRETE = 1,080 SQ. FT. 1,621 SQ. FT. HOUSE = GARAGE = 769 SQ. FT. PROPOSED IMPERVIOUS AREA = TOTAL = 7.073 SQ. FT. (1/2 PRIVATE ROAD) ALLOWABLE IMPERVIOUS AREA REMAINING = 131,278 SQ. FT. LOT 2B CRITICAL AREA: 1,212,405 SQ. FT. IMPERVIOUS AREA ALLOWED = 181,860 SQ. FT. (15% OF 1,212,405) EXISTING IMPERVIOUS AREA = 0 SQ. FT. PROPOSED IMPERVIOUS AREA = 7.073 SQ. FT. (I/2 PRIVATE ROAD) TOTAL = 7,073 SQ. FT.

#### SURVEYOR'S CERTIFICATE:

THIS IS TO CERTIFY THAT THE UNDERSIGNED, REGISTERED MARYLAND PROPERTY LINE SURVEYOR No. 340, HAS SURVEYED AND SUBDIVIDED THE PROPERTY AS DESCRIBED AND SHOWN ON THE ANNEXED PLAT AND THAT SUCH PLAT IS A CORRECT REPRESENTATION OF THAT SURVEY AND SUBDIVISION. ALL DISTANCES ARE SHOWN IN FEET AND DECIMALS THEREOF. ALL LOTS MEET THE REQUIREMENTS OF THE QUEEN ANNE'S COUNTY ZONING ORDINANCE IN REGARD TO LOT AREA, WIDTH AND BUILDABLE AREA.

ALLOWABLE IMPERVIOUS AREA REMAINING = 174,787 SQ. FT.

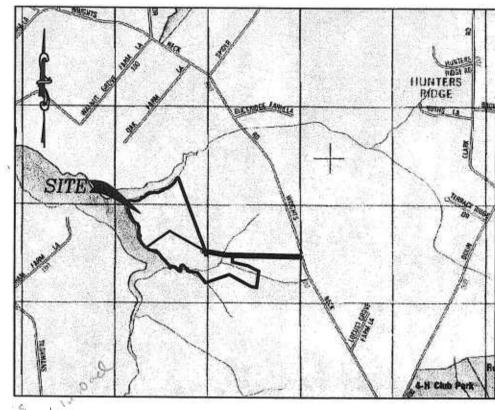
THIS PLAT HAS BEEN PREPARED BY THE LICENSEE EITHER PERSONALLY OR UNDER HIS DIRECTION AND SUPERVISION AND COMPLIES WITH THE REQUIREMENTS AS SET FORTH IN REGULATION .12 OF THE MARYLAND MINIMUM STANDARDS FOR SURVEYORS.

I FURTHER CERTIFY THAT THIS SUBDIVISION IS SITUATED WITHIN 500 FEET OF A SURFACE DRAIN OR WATER COURSE SERVING A TRIBUTARY AREA OF 640 ACRES OR MORE.

December

AS WITNESS MY HAND AND SEAL THIS 2 Ad THOMAS D. LANE LANE ENGINEERING, LLC. 354 PENNSYLVANIA AVE. CENTREVILLE, MARYLAND, 21617

- 1. THE OUTLINE BOUNDARY OF THE LANDS SHOWN HEREON INCLUDING APPROXIMATE MEAN) HIGH WATER WAS ESTABLISHED FROM A LARGE LOT SUBDIVISION PREPARED BY MICHAEL SCOTT, INC. DATED SEPTEMBER 9, 2002.
- 2. SOIL TYPES = Ca, Bp, HnB, IgB, IgC, Lz, MkB, MtA, MtB, NsA, NsB, PiB, PiC, UsC, AND Wh PER QUEEN ANNE'S COUNTY SOILS MAP 24 OF 47.
- 3. STORMWATER MANAGEMENT MUST BE ADDRESSED WITH ANY BUILDING PERMIT APPLICATIONS FOR LOTS 2A AND 2B. STORMWATER MANAGEMENT FOR ROAD IMPROVEMENTS AS SHOWN ON "IMPROVEMENT PLAN FOR REED CREEK, LLC" PREPARED BY LANE ENGINEERING, LLC DATED 8-7-07.
- 4. A PORTION OF THE SITE IS LOCATED WITHIN THE CRITICAL AREA (RCA).
- 5. THE LAND SHOWN HEREON IS LOCATED IN FLOOD ZONES "C", "A", AND "A8 (ELEV 7) AS PER FIRM COMMUNITY-PANEL NUMBER 240054 0033 B, DATED SEPTEMBER 28, 1984.
- 6. PROPOSED LOTS 2A & 2B TO BE SERVED BY PRIVATE SEWER AND WATER.
- 7. THE STREAMS SHOWN HEREON WERE FIELD LOCATED BY LANE ENGINEERING, LLC.
- 8. THE NONTIDAL WETLANDS SHOWN ON SHEETS 4 AND 5 OF THIS PLAT WERE FIELD IDENTIFIED BY A QUALIFIED PROFESSIONAL AND FIELD LOCATED BY LANE ENGINEERING, LLC. NONTIDAL WETLANDS SHOWN ON SHEET 3 OF THIS PLAT WERE TAKEN FROM THE NATIONAL WETLANDS INVENTORY MAP OF LANGFORD CREEK, MD.
- 9. THERE ARE NO STEEP SLOPES PROPOSED TO BE DISTURBED IN THIS SUBDIVISION.
- 10. THERE ARE NO KNOWN HISTORIC STRUCTURES ON THE PROPERTY SHOWN HEREON. THIS SITE IS THE FORMER LOCATION OF AN HISTORIC HOME. (QA-112, "REED LEA")
- 11. NO ABSTRACT OF TITLE, TITLE COMMITMENT NOR RESULTS OF A TITLE SEARCH HAVE BEEN FURNISHED TO LANE ENGINEERING, LLC. OTHER DOCUMENTS OF RECORD MAY EXIST THAT MAY AFFECT THE SURVEYED PROPERTY REFLECTED HEREON, INCLUDING BUT NOT LIMITED TO EASEMENTS, ENCUMBRANCES, RESTRICTIVE COVENANTS, PLAT RESTRICTIONS OR ANY OTHER FACTS THAT AN ACCURATE, COMPLETE AND CURRENT TITLE SEARCH MAY DISCLOSE.
- 12. THE EXISTING WOOD LINES SHOWN HEREON WERE FIELD DELINEATED BY LANE ENGINEERING, LLC. UNDER SECTION 18:1-66(B)(2) NO MORE THAN 40% OF THE WOODLANDS ON A LOT MAY BE DISTURBED. NO TREE CLEARING IS PROPOSED.
- REFERENCE MARK "RM120", ELEVATION 51.48.



SCALE 1'' = 2000'Copyright of the ADC Map People

PURPOSE AND INTENT STATEMENT: THE PURPOSE OF THIS PLAT IS TO SUBDIVIDE THE EXISTING LOT 2 (54.612 AC±) TO CREATE TWO LOTS, LOT 2A (24.304 AC±) AND LOT 2B (27.833 AC±), AND A PRIVATE ROAD (2.475 AC.±).

51.407

14. THE PROPOSED SUBDIVISION DOES NOT CREATE ANY NON-CONFORMING LOTS.

15. AFTER THIS PLAT IS FINALLY APPROVED AND RECORDED, ANY FRIOR SIZE OR CONFIGURATION OF ALL OR ANY PART OF THE LAND SHOWN ON THIS PLAT, OR THE PRIOR STATUS OF ANY SUCH LAND AS A "LOT" UNDER ANY LAND USE & DEVELOPMENT REGULATIONS, IS SUPERSEDED BY THE SIZE AND CONFIGURATION OF THE LOTS SHOWN ON

16. THE WILDLIFE AND HERITAGE SERVICE HAS DETERMINED THAT THE SITE CONTAINS OR IS IN THE VICINITY OF HABITAT PROTECTION AREAS FOR BALD EAGLES, DELMARVA FOX SQUIRRELS, AND HISTORIC WATERFOWL CONCENTRATION AREAS. PROPOSED DEVELOPMENT SHALL BE IN ACCORDANCE WITH THE MARYLAND DEPARTMENT OF NATURAL RESOURCE GUIDELINES FOR HABITAT PROTECTION FOR EACH SPECIES. A BALD EAGLE'S NEST OFF SITE HAS BEEN LOCATED BY LANE ENGINEERING AND SHOWN HEREON.

17. PROPOSED DRIVEWAYS SHOULD BE CONSTRUCTED IN ACCORDANCE WITH QUEEN ANNE'S COUNTY STANDARD DETAIL NO. 105.02. ENTRANCE PERMITS SHOULD BE OBTAINED FROM THE QUEEN ANNE'S COUNTY ROADS DIVISION AT 410-758-0920 PRIOR TO CONSTRUCTION OF ANY TEMPORARY OR PERMANENT ENTRANCES WITHIN THE COUNTY RIGHT-OF-WAY.

18. DEVELOPMENT MUST COMPLY WITH THE COUNTY FLOODPLAIN ORDINANCE. FLOODPLAIN REQUIREMENTS MUST BE ADDRESSED WITH BUILDING PERMIT. NO DEVELOPMENT SHOULD QCCUR WITHING THE FLOOD ZONE "A" IN ACCORDANCE WITH THE FLOODPLAIN ORDINANCE.

RIGHT TO FARM STATEMENT: THERE SHALL BE NO BASIS, UNDER THIS ORDINANCE, FOR RECOURSE AGAINST THE EFFECTS OF ANY NORMAL FARMING OPERATIONS CONDUCTED IN ACCORDANCE WITH STANDARD AND ACCEPTABLE BEST MANAGEMENT PRACTICES. NORMAL AGRICULTURAL AFFECTS INCLUDE, BUT ARE NOT LIMITED TO, NOISE, ODOR, VIBRATION, FUMES, DUST, SPRAY DRIFT

#### SUBDIVISION HISTORY:

EXISTING LOT 2 WAS CREATED AS A LARGE LOT BY AN APPROVED PLAT ENTITLED "LARGE LO SUBDIVISION OF THE LANDS OF TEMPLE RHODES JR. ET AL" PREPARED BY MICHAEL SCOTT. INC. DATED 9-09-02, RECORDED IN THE LAND RECORDS OF QUEEN ANNE'S COUNTY PLAT BOOK S.M. 32/77A-77D, QUEEN ANNE'S COUNTY PLANNING AND ZONING FILE #03-01-10-0011, APPROVED 10-1-02. PARCEL 83 WAS CREATED FROM THE ORIGINAL TRACT IN JUNE 1976 (QUEEN ANNE'S COUNTY LAND RECORDS LIBER 109 FOLIO 55) AND A SMALL AREA FROM ORIGINAL TRACT WAS ADDED TO PARCEL 83 IN 1978 (QUEEN ANNE'S COUNTY LAND RECORDS LIBER 134 FOLIO 419).

CRITICAL AREA AND NON CRITICAL AREA FOREST CONSERVATION REQUIREMENT FOR EXISTING LOT 2 WERE PREVIOUSLY ADDRESSED BY AN APPROVED PLAT ENTITLED "LARGE LOT SUBDIVISION OF THE LANDS OF TEMPLE RHODES JR. ET AL" PREPARED BY MICHAEL SCOTT, INC. DATED 9-09-02, RECORDED IN THE LAND RECORDS OF QUEEN ANNE'S COUNTY PLAT BOOK S.M. 32/77A-77D. LOT 2A CONTAINS 2.27 ACRES FOREST CONSERVATION EASEMENT

PLANNING COMMISSION CERTIFICATE

THIS IS TO VERIFY THAT THE ANNEXED PLAN OF SUBDIVISION WAS APPROVED BY THE QUEEN ANNE'S COUNTY PLANNING COMMISSION ON THE \_\_\_\_\_ DAY OF \_\_\_

## FRANK FROHN

QUEEN ANNE'S COUNTY DEPARTMENT OF EMERGENCY SERVICES-OFFICE OF THE FIRE MARSHAL

THIS IS TO CERTIFY THAT THE SITE PLAN WAS APPROVED BY THE DEPARTMENT OF EMERGENCY SERVICES - OFFICE OF THE FIRE MARSHAL ON THE \_\_\_\_ DAY OF

COUNTY ATTORNEY'S CERTIFICATE

UNIFORM ACKNOWLEDGMENT ACT

MY COMMISSION EXPIRES: .

\_ DAY OF \_

IN WITNESS WHEREOF I HERE UNTO SET MY HAND AND SEAL.

STATE OF \_

ON THIS

CONTAINED.

THE UNDERSIGNED, COUNTY ATTORNEY FOR QUEEN ANNE'S COUNTY, HEREBY CERTIFIES THAT ACCEPTABLE SURETY FOR REQUIRED IMPROVEMENTS SHOWN ON THE ANNEXED PLAT HAS BEEN FURNISHED IN ACCORDANCE WITH THE QUEEN ANNE'S COUNTY ZONING

CHRISTOPHER DRUMMOND	DATE
PUBLIC WORKS CERTIFICATE	
THIS IS TO VERIFY THAT THE ANNEXED PLAN	OF SUBDIVISION WAS APPROVED BY TH
DEPARTMENT OF PUBLIC WORKS OF QUEEN AN	
OF, 2009.	
JOHN SCARBOROUGH	***************************************
ENVIRONMENTAL HEALTH CERTIFICATE THIS IS TO VERIFY THAT THE ANNEXED PLAN	OF CURRINGIAN WAS ARREQUED BY THE
ENVIRONMENTAL HEALTH DEPARTMENT OF QUEE	
DAY OF, 2009.	
JOHN NICKERSON	
FINANCE OFFICER'S CERTIFICATE	
THE FINANCE OFFICER OF QUEEN ANNE'S CO NO DELINQUENT GENERAL TAXES AND NO REDI	
LAND SHOWN ON THE ANNEXED PLAT AND THA	AT I HAVE RECEIVED ALL FEES AND TAXE
ASSESSED AGAINST SUCH LAND. AS WITNESS N	MY SIGNATURE, THIS DAY OF
, 2009.	
	· · · · · · · · · · · · · · · · · · ·
COUNTY FINANCE OFFICER	
OWNER'S CERTIFICATE	
THIS IS TO CERTIFY THAT I THE UNDERSIGNED	
IN THE SUBDIVISION PLAT AND THAT I HAVE CA SUBDIVIDED AS INDICATED THEREON FOR THE U	ICEC AND DIDDOCES SET FORTH HEDEN
I ALSO CERTIFY TO THE BEST OF MY KNOWLED	
UNRECORDED EASEMENTS, RESTRICTIONS, RESE	RVATIONS OR COVENANTS HAVE BEEN
INDICATED ON THE ANNEXED PLAT. I HEREBY MY ACT THIS DAY OF	ACKNOWLEDGE AND ADOPT THE SAME A
	, 2009.
REED CREEK, LLC	
STEPHAN STROTHE	DATE
UNIFORM ACKNOWLEDGMENT ACT	
STATE OF C	OUNTY OF
SIAIL OF	00111 01
ON THIS DAY OF	$\_$ , 2009, BEFORE ME, THE UNDERSIGN
OFFICER, PERSONALLY APPEARED STEPHAN STR	OTHE, KNOWN TO ME (OR SATISFACTORI
PROVEN) TO BE THE PERSON WHOSE NAME IS AND ACKNOWLEDGED THAT THEY EXECUTED THE	SUBSCRIBED TO THE WITHIN INSTRUMENTS
CONTAINED.	SAME FOR THE PURPOSES THEREIN
N WITNESS WHEREOF I HERE UNTO SET MY H	AND AND SEAL.
MY COMMISSION EXPIRES:	
MT COMMISSION EXPIRES:	NOTARY PUBLIC
OWNER'S CERTIFICATE	
THIS IS TO CERTIFY THAT I THE UNDERSIGNED	AM THE OWNER OF THE LAND DESCRIBE
n the Subdivision plat and that I have ca Subdivided as indicated thereon for the U	
ALSO CERTIFY TO THE BEST OF MY KNOWLED	
INRECORDED FASEMENTS, RESTRICTIONS, RESER	EVATIONS OR COVENANTS HAVE BEEN
NDICATED ON THE ANNEXED PLAT. I HEREBY	ACKNOWLEDGE AND ADOPT THE SAME AS
MY ACT THIS DAY OF	, 2009.
REED CREEK, LLC	
SARINE LII RRICH	DATE

COUNTY OF

OFFICER, PERSONALLY APPEARED SABINE ULBRICH, KNOWN TO ME (OR SATISFACTORILY

AND ACKNOWLEDGED THAT THEY EXECUTED THE SAME FOR THE PURPOSES THEREIN

PROVEN) TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT

, 2009, BEFORE ME, THE UNDERSIGNED

NOTARY PUBLIC

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SHEET 4 - PORTION OF PRIVATE ROAD & LOT 2A SHEET 5 - LOT 2B

SHEET 6 - CRITICAL AREA FORESTATION & FSD/FCP SHEET 7 - CRITICAL AREA FORESTATION SHEET 8 - CRITICAL AREA FORESTATION

REVISIONS				
No.	DATE		DESCRIPTION	BY
1			ADDRESS QUEEN ANNE'S COUNTY COMMENTS	S.M.C.
2	06 NOV	07	ADDRESS QUEEN ANNE'S COUNTY COMMENTS	S.M.C.
3	12/1/0	9	UPDATE CERTIFICATION DATES & RETITLE AS "MAJOR_SUBDIVISION"	w.R.D.
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			DEC 0 9 2009	
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			CRITICAL AREA COMMISSION Thesapeake & Atlantic Coastal Bays	
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# <u>Lane Engineering, I</u>

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PROPULLATION	
LINE SURMINIMUM	12-2-09

## MAJOR SUBDIVISION

ON THE LANDS OF REED CREEK, LLC

IN THE THIRD ELECTION DISTRICT QUEEN ANNES COUNTY, MARYLAND TAX MAP 43, GRID 10, PARCEL 7, LOT 2

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25	DAY	SUBMITTAL
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DATE: BY: 12/2/09 WRD

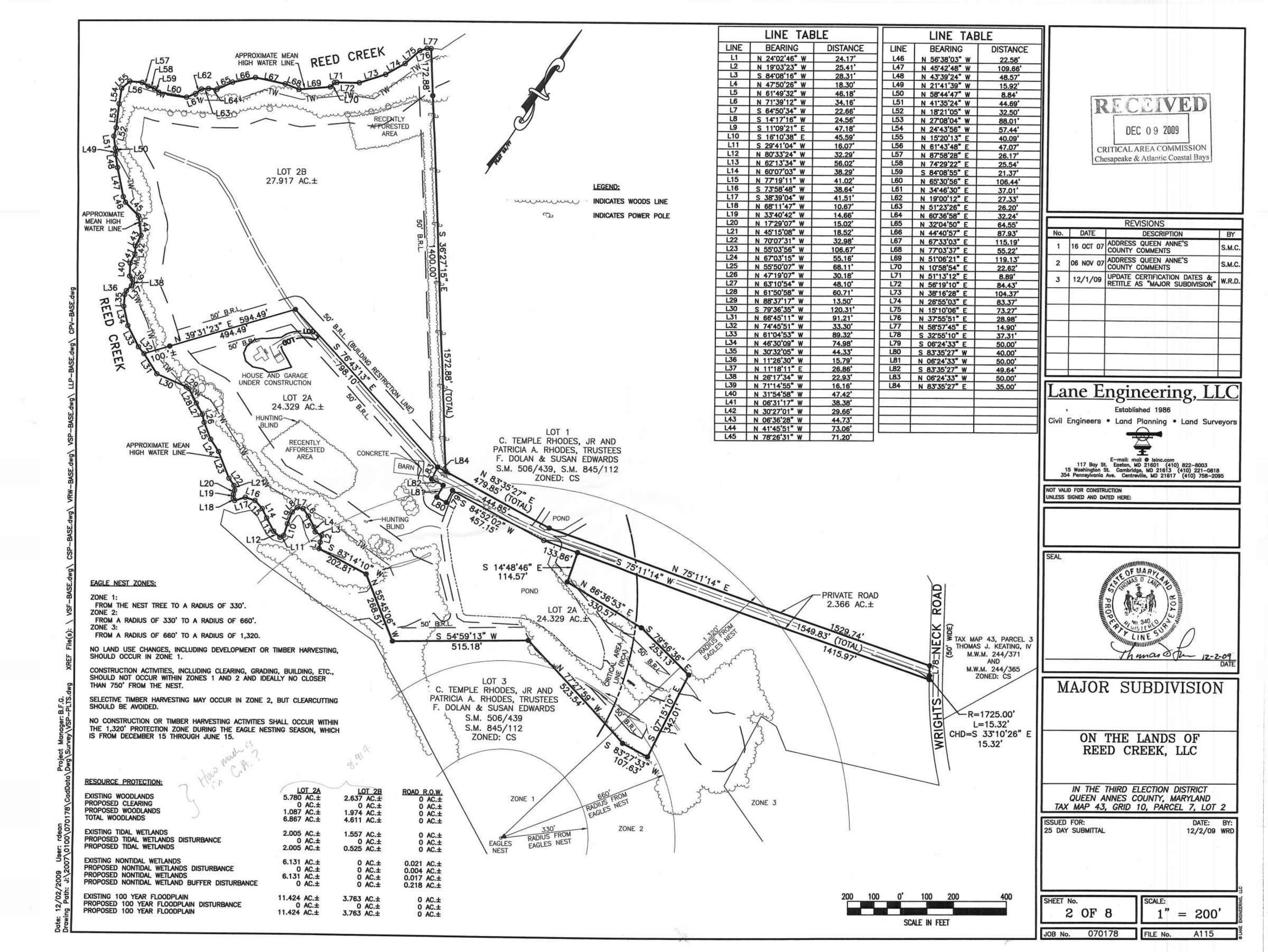
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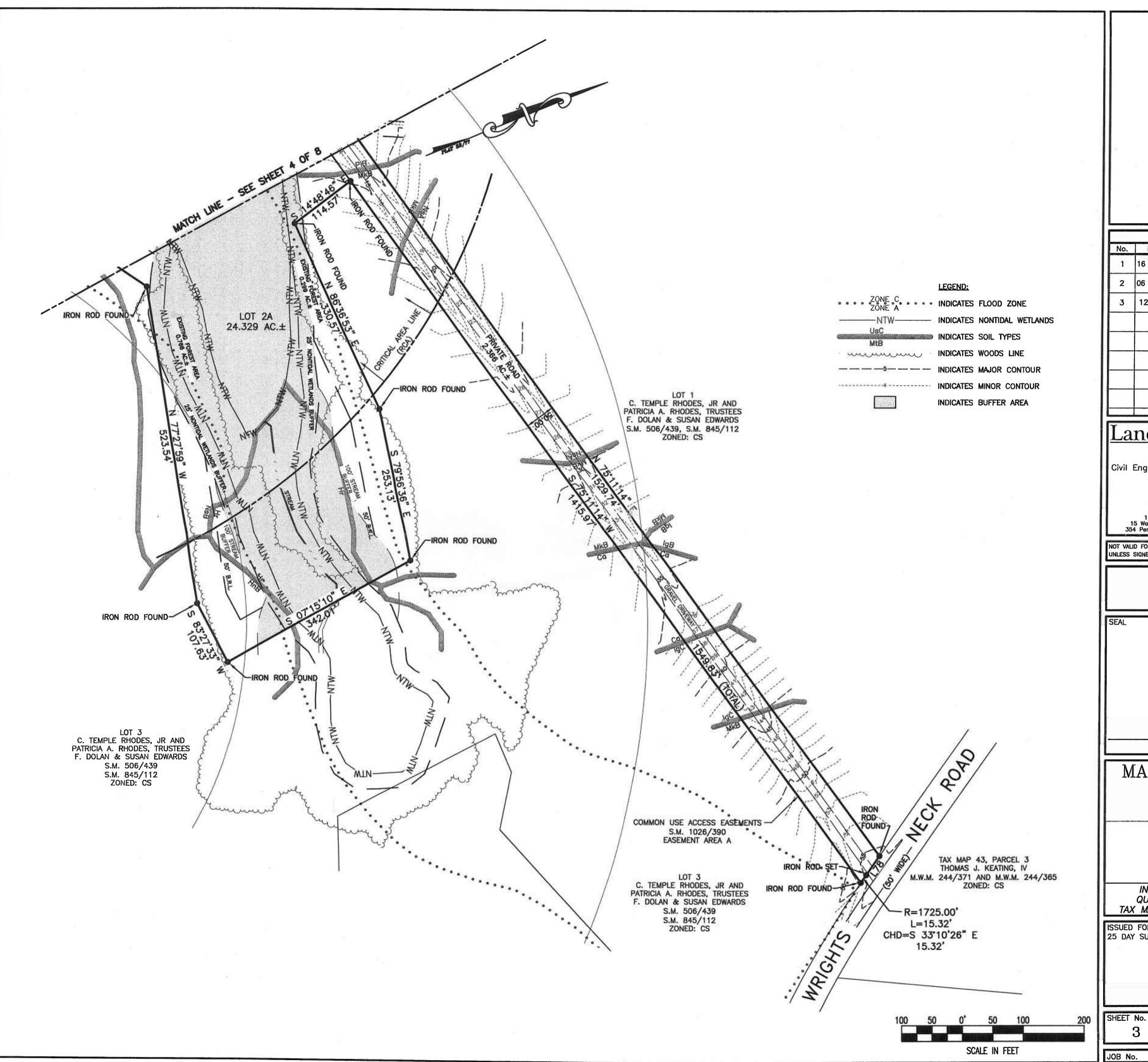
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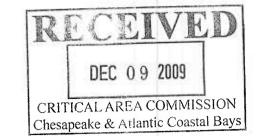
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13. ELEVATIONS SHOWN HEREON ARE REFERENCED TO NGVD 29 AND BASED ON F.E.M.A.

GEORGE J. EBER, DIVISION CHIEF







REVISIONS					
No.	DATE	DESCRIPTION	BY		
1	16 OCT 07	ADDRESS QUEEN ANNE'S COUNTY COMMENTS	S.M.C.		
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# Lane Engineering, LI

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Thanas of the 12-2-09

## MAJOR SUBDIVISION

ON THE LANDS OF REED CREEK, LLC

IN THE THIRD ELECTION DISTRICT QUEEN ANNES COUNTY, MARYLAND TAX MAP 43, GRID 10, PARCEL 7, LOT 2

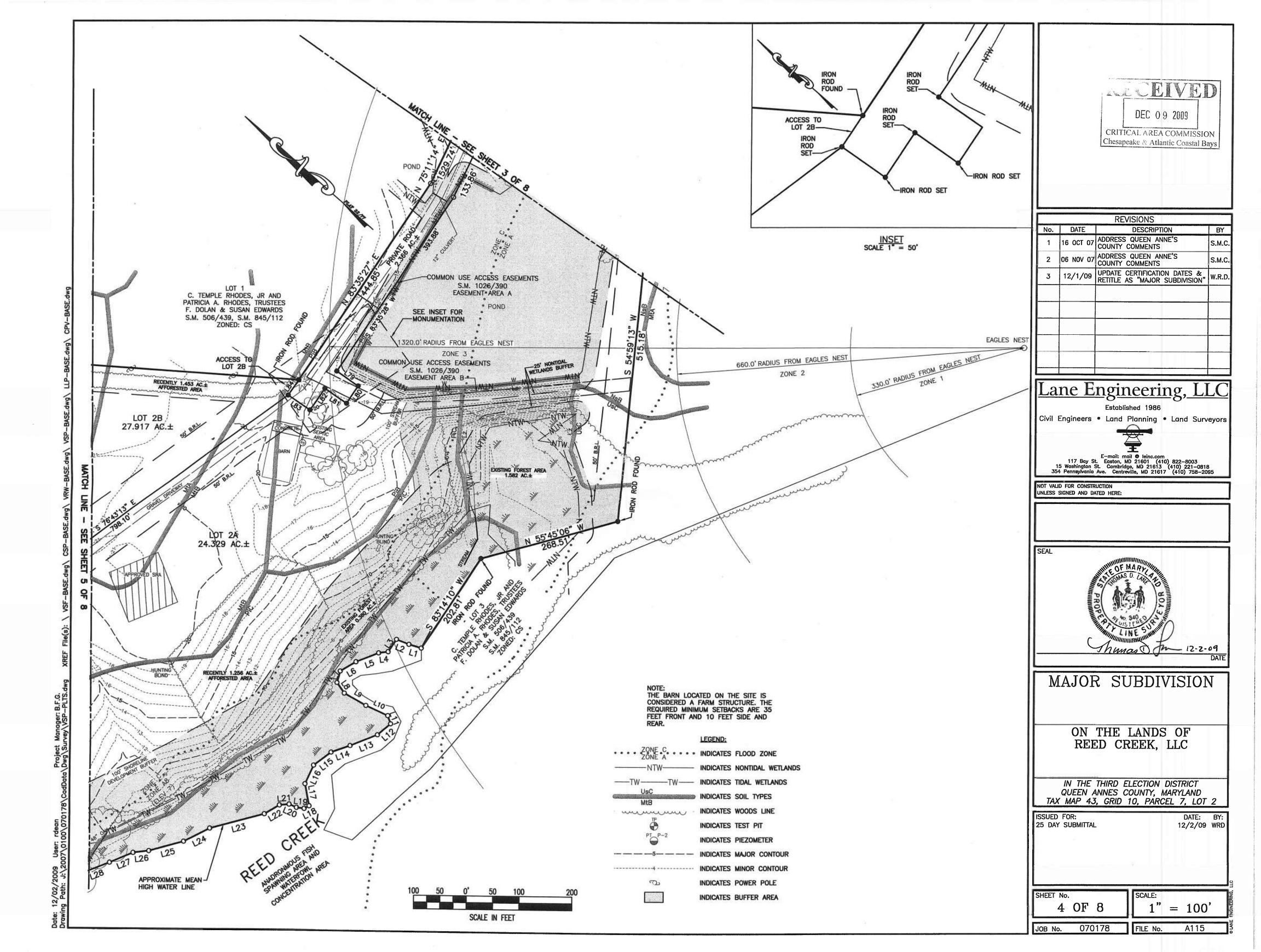
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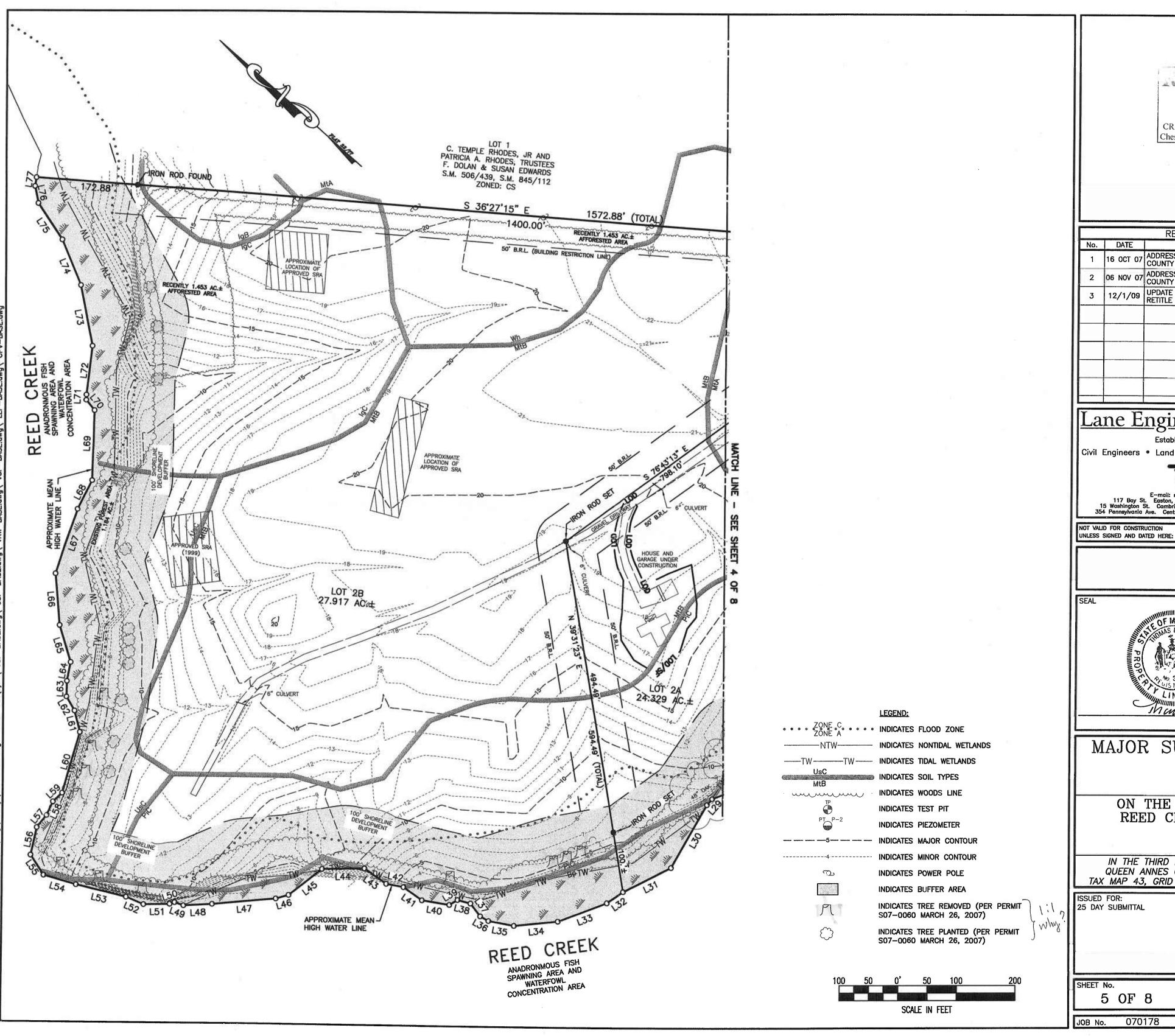
3 OF 8

SCALE: 1" = 100'

070178 JOB No.

A115 FILE No.





LECEIVED DEC 09 2009

CRITICAL AREA COMMISSION Chesapeake & Atlantic Coastal Bays

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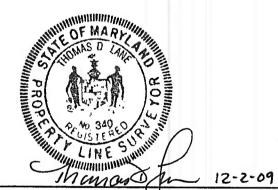
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MAJOR SUBDIVISION

ON THE LANDS OF REED CREEK, LLC

IN THE THIRD ELECTION DISTRICT QUEEN ANNES COUNTY, MARYLAND TAX MAP 43, GRID 10, PARCEL 7, LOT 2

DATE: BY: 12/2/09 WRD

SCALE: 1" = 100'

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070178

A115

