- SM 695-07 Friendly Farms
SUB 07-110-141

Comments 1/11/08 Kg

51829-6806

Martin O'Malley

Anthony G. Brown Lt. Governor



Margaret G. McHale Chair

Ren Serey
Executive Director

STATE OF MARYLAND CRITICAL AREA COMMISSION CHESAPEAKE AND ATLANTIC COASTAL BAYS

1804 West Street, Suite 100, Annapolis, Maryland 21401 (410) 260-3460 Fax: (410) 974-5338 www.dnr.state.md.us/criticalarea/

January 14, 2008

Britteny Carter
St. Mary's County Government
Department of Land Use and Growth Management
P O Box 653
Leonardtown, Maryland 20650

Re:

Friendly Farm/Mathews Farm Local Case #07-110-141

Dear Ms. Carter:

Thank you for submitting the above referenced subdivision for review and comment. The applicant is seeking a minor subdivision approval for two lots. Both lots currently exist as separate parcels created under an intra-family transfer subdivision in 1990. The proposed subdivision will convert the parcels into Lot 2 and Lot 3 and adjust boundary lines to coincide with Mean High Water (MHW). Based on the information provided, I have the following comments:

- 1. The intra-family transfer provisions must be included on the plat and list the names of the current property owners to whom the lots were transferred.
- 2. Given the subdivision history of this parcel, no further subdivision may be allowed under intra-family transfer. Please include a note on the plat stating no intra-family transfer development rights remain.

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

Sincerely,

Kate Schmidt

Natural Resource Planner

SM 695-07

GENERAL NOTES

- Subject properties are located on Tax Map 39 at Block 5 as Parcels 257 \$ 291. The total area of parcel 257 is 18.14 Acres +/- and parcel 291 is 3.56 Acres +/-. Subject properties appear to lie within the RPD (Rural Preservation District) zoning district and RCA (Resource Conservation Areas) Overlay as shown on St. Mary's County official Zoning Maps.

 Building Restriction Lines (BRL's) shall be as shown hereon. The BRL's are mapped in accordance with the St. Mary's County Comprehensive Zoning Ordinance (CZO) 02-01, Chapter 32.3.2 and Schedule 32.1 for Zone RPD as follows: 25' Front, 15' Side, and 20' Rear applied from the more restrictive of the lots lines or from sensitive areas mapped per CZO 02-01 Chapter 71 (Resource Protection).

sensitive areas mapped per CZO O2-OI Chapter 71 (Resource Protection).

sensitive areas mapped per CZO O2-OI Chapter 71 (Resource Protection). These lots are to be served by Individual septic systems and deep drilled wells. Deep Drilled Wells shall be drilled to an approved confined aquifer. This Health Department Approval certifies the above lots are in consonance with pertinent Health Department Laws and Regulations as of the approval date: however, this approval is subject to changes in such laws and regulations. Changes in topography or site designations may void this approval. The designated perc area is the only area approved by the St. Mary's County Health Department for sewage disposal purposes. Lot 2 includes a minimum area of 10,000 sq. ft. for sewage disposal purposes and Lot 3 will require a 1 to 1 sewage disposal area designed for a mound system only, as required by current Maryland State Health Law. Improvement of any nature including but not limited to the installation of other utility lines in this area may render not limited to the installation of other utility lines in this area may render the lot undevelopable. To determine the exact area of the lot approved for sewage disposal purposes, or to establish a different area for such purposes, you should contact the St. Mary's County Health Department, Office of

Environmental Health. This subdivision is in compliance with the St. Mary's County Comprehensive Water and Sewerage Plan.

There shall be a 10' Utility Easement along all lot lines. The easements are to include use by the St. Mary's County Metropolitan Commission, its successors and assigns, for construction, maintenance, repair, inspection and operation of public water and sewer facilities, should such facilities ever be installed.

Unless otherwise shown, there are no restrictions of record affecting this subdivision, subject to a Title Search.

Areas established for Resource Protection on this site, in accordance with

required protection levels, must remain in undisturbed open space \$ undeveloped. There are no Outlots, Outparcels or Parcels included herewith

Lots 2 and 3 are currently accessed by the Existing 24' Right-Of-Way (Sweet Pea Lane), CAUTION: This access easement does not necessarily provide access from these lots to a County or State road at this time. Road and utility construction and maintenance are the responsibility of the buyer of these lots, unless otherwise

There are existing non-conforming structures contained within subject lot 3 in accordance with Chapter 52.4 of The St. Mary's County Zoning Ordinance. Current Water and Sewerage Plan Category Designation are as follows: Water = W-N.P.S. and Sewer = S-N.P.S.

No plans currently exist for future subdivision.

Existing Lot 1, P/O Friendly Farms or Mathews Farm, Parcel 120, Proposed Lots 2 and 3 (4 total) are served by the Existing 24' Right-Of-Way (Sweet Pea Lane) as shown

The above lots are to be served by an R-20 multiple driveway entrance as per the St. Mary's County Road Ordinance. The Developer shall be responsible for the installation/bonding of the multiple driveway entrance(s) prior to the recording

Premise Addresses for the Lots hereon are shown as thus: XXXXX.

This plat was prepared without the benefit of a Title Report, which could reveal additional conveyances, easements, covenants, rights-of-way and/or more stringent building restriction lines not shown hereon.

The Horizontal and Vertical Datums shown hereon are assumed. North Rotation is referenced to the Plat recorded in Plat Book 34 at Plat Number 58.

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20. The Subject Properties Shown Hereon appears to be located in Flood Hazard Zones AE & X as delineated on Flood Insurance Rate Maps for St. Mary's County, Maryland, as distributed by the Federal Emergency Management Agency, Community Panel Number 24037c0l62E, Effective Date October 19th, 2004.

21. Tidal Wetlands Information on site of subject subdivision was derived from the "National Wetlands Inventory" Maps distributed by the U.S. Department of the Interior. FWS Leonardtown, MD. and Maryland DNR maps and field located.

22. Soils Information shown hereon was taken from the "Soil Survey of St. Mary's County, Maryland" as prepared by the U.S. Department of Agriculture, Soil Conservation Service, Sheet #20 thereof.

23. Except for the Field Run Topography around subject Sewage Reserve Areas, topographic Information shown hereon was taken from digital maps obtained from the St. Mary's County Government, using photogrametric and laser

from the St. Mary's County Government, using photogrametric and laser imaging (LIDAR) methods.

24. There appear to be no Critical Habitats, Cultural Features or Historic Sites located within subject property per MERLIN online maps.

25. The lot(s) shown hereon contain(s) an area of at least 20,000 square feet not including rights-of-way (existing or proposed), 50 year flood plains, and grades of 25% or greater. 26. Unless otherwise shown hereon, there are no wells or septic systems within

100' of the lot lines.

100' of the lot lines.

27. Lot 3 is exempt from Stormwater Management pursuant to the St. Mary's CZO O2-O1. Any further development shall be subject to the provisions of the Stormwater Management, Grading, Erosion & Sediment Control Ordinance. Prior to the Issuance of a Building Permit for lot 2, Stormwater Management and Over-Lot Grading shall be provided in accordance with the St. Mary's County Stormwater Management, Grading, Erosion and Sediment Control Ordinance.

28. Lot 2 and Lot 3, P/O Friendly Farms or Mathew's Farm has been created and approved pursuant to the inter-family transfer provisions of chapter 41.6.4.a of the St. Mary's County Zoning Ordinance O2-OI and is subject to the restrictions of those provisions.

29. The property being developed is within a subdivision created in conjunction with an intra-family transfer of land in which case the following conditions shall apply. A covenant shall run with the deed, which states that the subdivision was for the purpose of creating a bona-fide intra-family transfer. Conveyance of the lot to a third party as security for mortgage or deed of trust is not prohibited by this ordinance. Once a transfer is made to a family member, a subsequent transfer cannot be made unless to a member of the owner's immediate family, except when the lot was created as a part of a bona-fide intrafamily transfer and not with the intent of subdividing for commercial sale, and a change in circumstances has occurred since the original transfer which is not inconsistent

with the critical area program and warrants an exception. 30. Intra-family transfers may only be made from parcels of land that were recorded as of November 1, 1986, and which are 7 or more acres and less than 60 acres in size. A parcel that is 7 acres or more and less than 12 may be subdivided into 2 lots. A parcel that is 12 acres or more and less than 60 may be subdivided into

CRITICAL AREA NOTES

I. All of subject property lies within Maryland's Critical Area. Any and all development activities proposed within this area are subject to Critical Area Regulations and will not be permitted until all appropriate local,

Area Regulations and will not be permitted until all appropriate local, state and federal agencies have approved the Development Plan.

2. The Critical Area Buffer must remain in natural vegetation and may not be disturbed except as provided under Chapter TI Section 8 (Habitat Protection Standards) of the St. Mary's County Comprehensive Zonling Ordinance (CZO) 02-01.

3. No Development is permitted in wetlands without approval from the Appropriate local, state and federal agencies.

4. All existing forest shown belong of Chapten To Fenest and Mondiand

permitted under the provisions of Chapter 72 (Forest and Woodland Resources in the Critical Area) of the St. Mary's County Comprehensive Zoning Ordinance (CZO) 02-01. Any and all afforested or reforested

areas created under said Provisions, as may be designated on this plat, shall be preserved from future disturbance.

Locations of Natural Heritage Areas, Threatened or Endangered Species and Habitats of Significant Plants or Wildlife are Identified on this plat in accordance with Chapter 71 (Resource Protection Standards)

of the St. Mary's County Comprehensive Zoning Ordinance (CZO) 02-01.

6. This plan has been prepared in accordance with deeds and plats of record and the recording thereof does not assure title to any portion or portions of said property which may lie beyond the natural mean high water mark or tidal wetlands used for calculations of density rights, and furthermore, a 100' protective buffer, as may be shown hereon, shall be maintained from said mean high water mark or adjacent tidal wetlands since the riparian rights to the same are subject to the regulatory

since the riparian rights to the same are subject to the regulatory powers of the state and federal governments.

7. Each lot shall be required to meet impervious surface limits and clearing limits per Chapter 41 (Chesapeake Bay Critical Area) of the St. Mary's County Comprehensive Zoning Ordinance (CZO) 02-01.

8. Area of slopes 15% or greater for Lot 3 is 10,097 square feet.

9. Area of slopes 15% or greater for Lot 2 is 6,416 square feet.

10. Area of existing trees or forested area for Lot 3 is 77,123 square feet.

11. Area of existing impervious for Lot 3 is 2,080 square feet.

12. Area of existing impervious for Lot 3 is 2,080 square feet.

13. Area of existing impervious for Lot 2 is 4,134 square feet.

14. Proposed area of vegetation clearing is -0- square feet for lots 2 and 3.

15. Proposed area of impervious surface is -0- square feet for lots 2 and 3.

16. Proposed area of Impervious surface is -O- square feet for lots 2 and 3. 17. Required area of reforestation or afforestation is -O- square feet for

OWNER'S CERTIFICATE

We, Richard Charles Gray and Claire Lillian Liebert, the owners of the properties shown hereon and described in the Surveyor's Certificate affixed hereto, hereby adopt this plat of subdivision upon its approval by all required agencies. There are no pending suits or actions at law, leases, liens, mortgages or deeds of trust affecting this subdivision except as noted or shown hereon. All parties in Interest thereto have affixed their signatures indicating their assent

We further establish the minimum building restriction lines as required by the St. Mary.s County Zoning Ordinance and dedicate the streets, walkways, easements, rights-of-way and other improvements, where applicable, to public use. The requirements of Section 3-108 of the Annotated

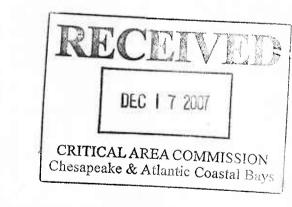
Code of Maryland (Real Property Article) as far as It concerns the making of this plan and setting of the markers required therein have been complied with to the best of our knowledge, information and belief.

There shall be a 10' utility easement along all lot lines. These easements are to include use by the St. Mary's County Metropolitan Commission, It's successors and assigns for construction, installation, maintenance, repair, inspection and operation of public water and sewer facilities, Should Such Facilities Ever Be Installed.

Richard Charles Gray	Date	
Claire Lillian Liebert	Date	

LINE DATA

NO	BEARING	DISTANCE
LI	NI4°24'06"W	88.16'
L2	N24°01'06"W	40.63'
L3	N43°24'58"W	23.181
L4		89.29'
L5		28.82'
L6		37.92'
L7		20.89'
L8		57.30'
L9		80.57'
LIO		56.34
LII	N82°12'53"W	65.26'
LI2	586°26'56"W	143.64
LI3	556°12'03"W	
LI4	N73°15'01"W	25.96'
		21.45
LI5	N25°22'06"W	70.49'
LI6	NO3°59'36"W	27.43'
LIT	N29°14'31"E	147.88'
LI8		32.23'
L19		51.62'
L20		17.64'
L2I	N20°59'41"E	15.29'
L22	N31°08'13"W	34.38'
L23	NOI°12'52"W	2.29'
L24	N29°14'37"E	20.21'
L25		30.51'
L26	N45°08'46"W	17.42'
L27	NO2°44'36"E	10.86
L28	N74°51'43"W	37.78'
L29	N62°56'19"W	32.89'
L30	N68°25'09"W	43.57'
L3I		47.33'
L32		35.881
L33	N58°27'54"W	25.40'
L34	NO3°53'21"W	9.63
L35	N25°20'08"W	39.29
L36	NO7°10'33"W	132.52
L37	N22°41'58"W	115,50
L38	NIO°20'21"W	32.28'
L39		52.85'
L40		25.521
L41	N28°14'04"W	24.15'
L42		21.321
L43		7.05'
L44		102.34
L45		125.02
L46		60.07
L47		96.66'
L48		26.20'
L49		28.10'
L50		33.15'
L51	519°22'02"W	3.70'
L52		49.57'
L53		86.52
L54		
107	JIZ ZZ JO M	111-4



MIIMOBE AVE

VICINITY MAP

SURVEYOR'S CERTIFICATE

I, the undersigned, a Licensed Surveyor in the State of Maryland, hereby certify, to the best of my knowledge, information and belief, that: this plat was prepared under my direct responsible charge; this plat and the survey work it reflects are in compliance with COMAR 09.13.06.12; the plat shown hereon is correct (subject to title search) and conforms to the specifications; this is a Minor Subdivision Plat of all the lands conveyed unto Richard Charles Gray by deed dated Febuary 14, 2006, from Richard Charles Gray and Carol Marie Gray as recorded among the Land Records for St. Mary's County, Maryland, in Liber ENA 2757 at Folio 245, said lands being further described as Parcel 2, as shown on a plat of Agricultural Subdivision entitled "28.50 Acres Remainder of CBG 126-100, Situated off Bayside Road" as recorded among said Land Records in Plat Liber 34 at Eallo 58. And all the lands conveyed upto Claire Lillian Libert Folio 58. And all the lands conveyed unto Claire Lillian Liebert by deed dated January 24, 1991, from Charles Alton Parker, Katherine Bailey Parker and Claire Lillian Liebert as recorded among the Land Records for St. Mary's County, Maryland, In Liber EWA 651 at Folio 387, said lands being further described as Parcel I, as shown on a plat of Agricultural Subdivision entitled "28.50 Acres Remainder of CBG 126-100, Situated off Bayside Road" as recorded among said Land Records In Plat Liber 34 at Folio 58.

The requirements of Section 3-108 of the Annotated Code of Maryland (Real Property Article) as far as It concerns the making of the plan and setting of the markers required therein have been complied with to the best of my knowledge, information and belief.

William P./Higgs / Professional Land Surveyor



CRITICAL AREA - EXISTING CONDITIONS TABLE

LOT#	LOT (fastland) AREA	EXISTING IMPERVIOUS SURFACE WITHIN THE EXPANDED IOO' BUFFER	SLOPES 15% OR GREATER	EXISTING FOREST	EXISTING IMPERVIOUS SURFACE OUT OF THE EXPANDED IOO' BUFFER	AREA MITHIN CRITICAL AREA	AREA OUT OF CRITICAL AREA	IMPERVIOUS SURFACE ALLOWED AT 15%
2	18.14 Ac.	0 s.f.	6,416 s.f.	3.42 Ac.	4,134 s.f.	18.14 Ac.	-0-	118,551 s.f.
3	3.56 Ac.	155 s.f.	10,097 s.f.	1.77 Ac.	1,925 s.f.	3.56 Ac.	-0-	23,273 s.f.

DATE

NOV 2 8 2007

ST. MARY'S COUNTY HEALTH DEPARTMENT APPROVAL

SANITARIAN DATE DIRECTOR

ST. MARY'S COUNTY DEPT

OF LAND USE & GROWTH

MANAGEMENT (LUGM)

DATE CHAIRMAN DATE



SHEET | OF 2

M39B5P257,291 1" = 100' MDRAKE MPH VISIONS

MINOR SUBDIVISION PRELIMINARY PLAN 11/26/07 0098-07 LOT 2 AND LOT 3 P/O FRIENDLY FARMS OR MATHEW'S FARM

SITUATED OFF BAYSIDE ROAD THIRD ELECTION DISTRICT ST. MARY'S COUNTY, MARYLAND

FOR: RICHARD GRAY AND CLAIRE LIEBERT

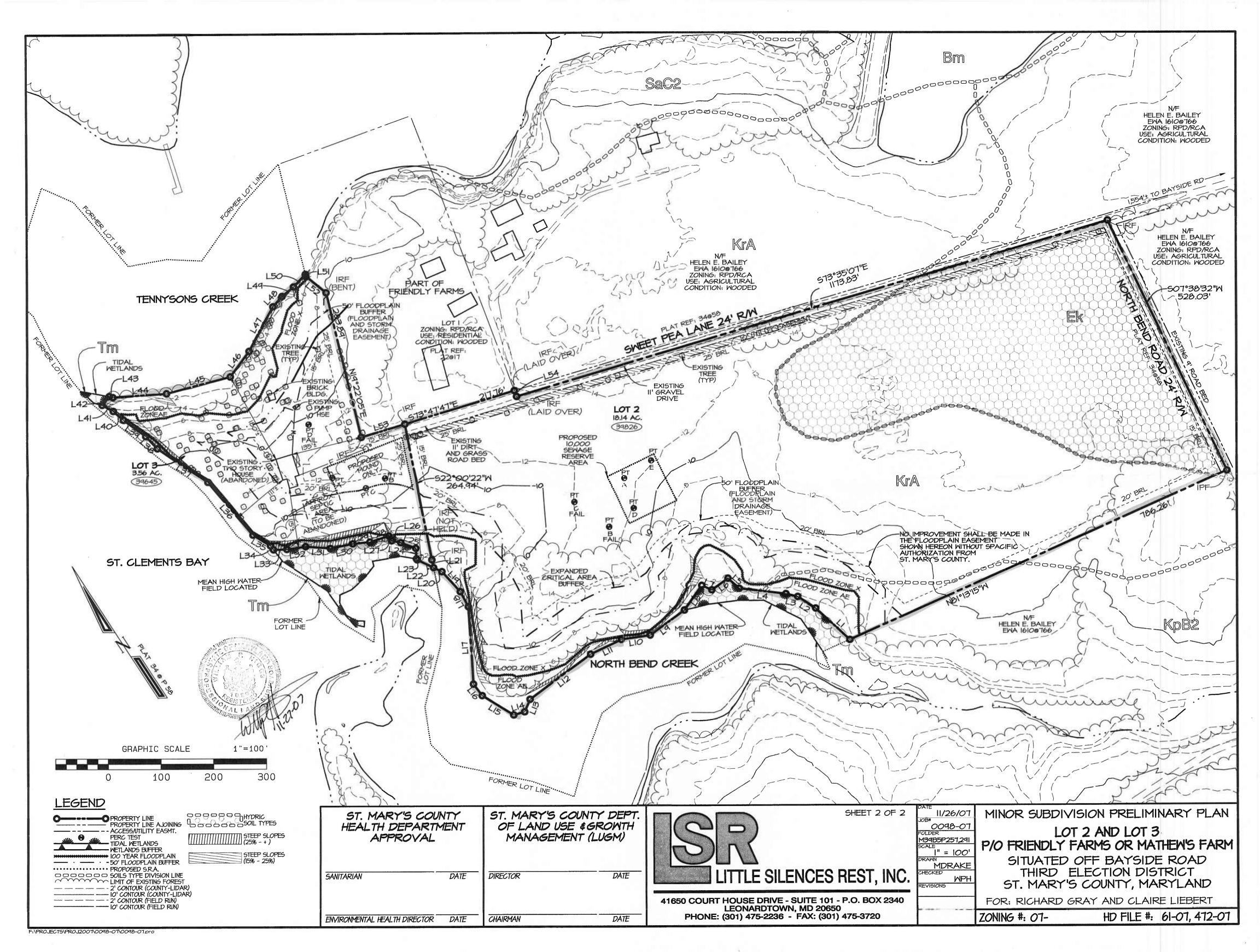
ZONING #: 07-

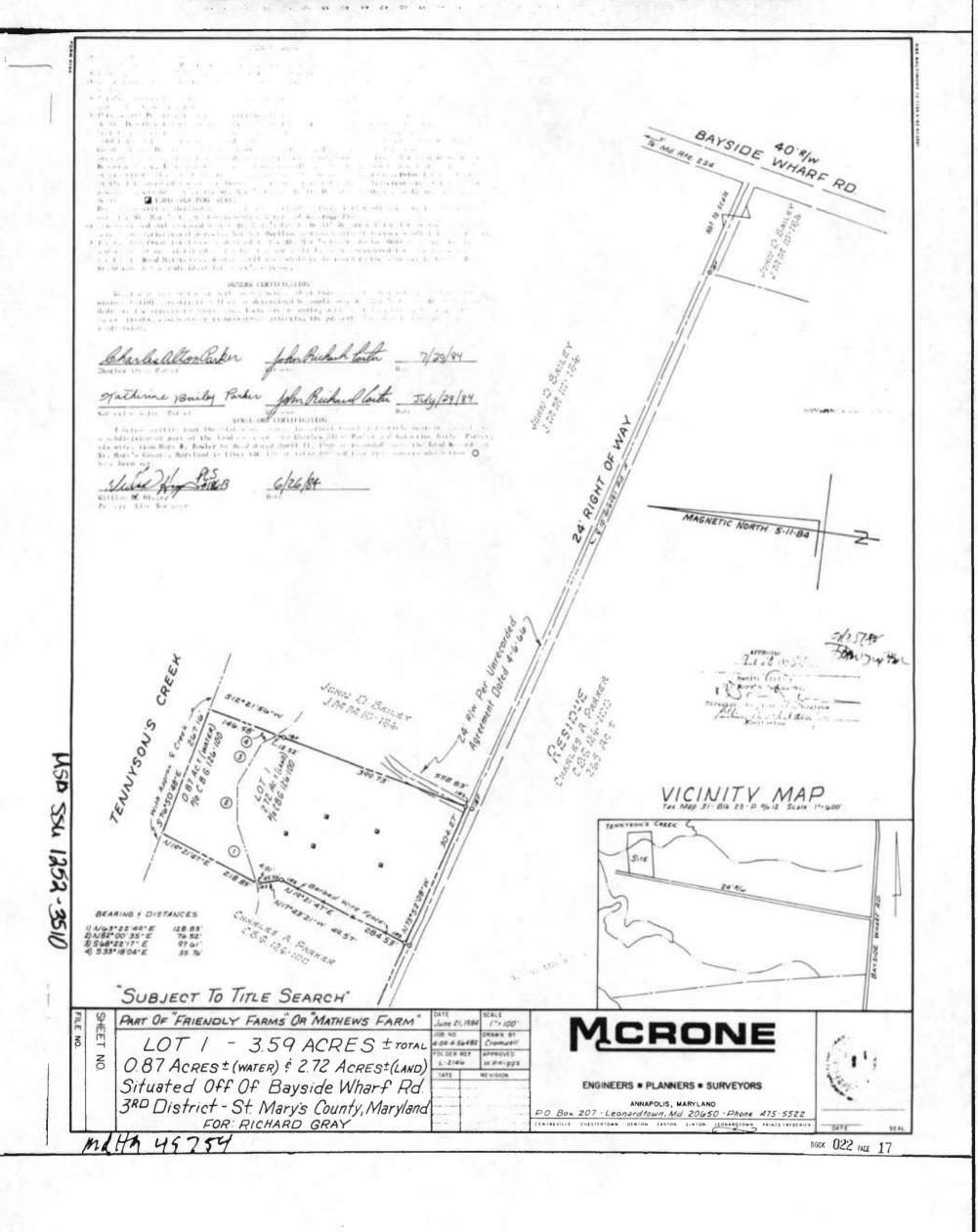
HD FILE #: 61-07, 472-07

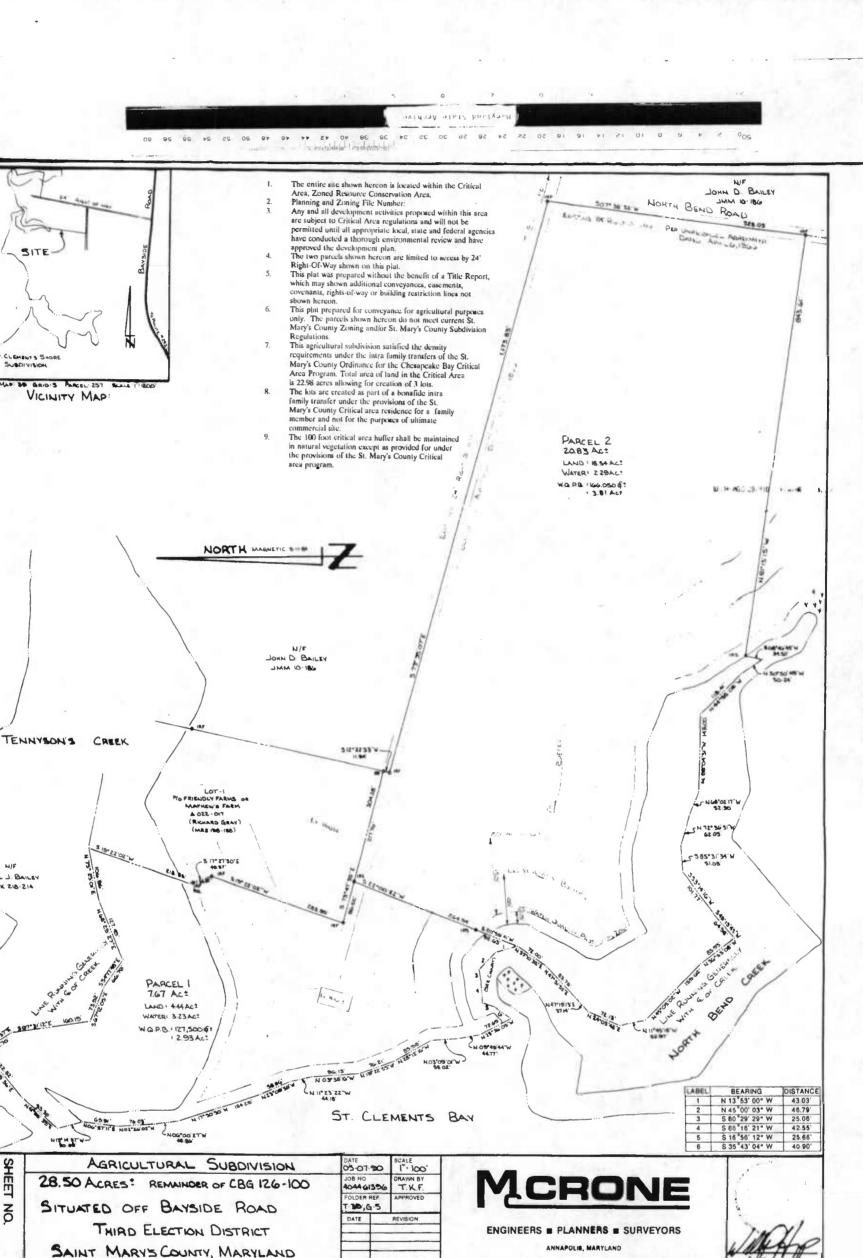
ENVIRONMENTAL HEALTH DIRECTOR

LITTLE SILENCES REST, INC.

41650 COURT HOUSE DRIVE - SUITE 101 - P.O. BOX 2340 **LEONARDTOWN, MD 20650** PHONE: (301) 475-2236 - FAX: (301) 475-3720







CENTREVILLE - CHESTERTOWN - DENTON - BASTON - ELETON - LEONARDTOWN - PRINCE PRECERICA

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Granden - could this be split again? how awarded to make the more than the manner of the legal downward on in Vaughter

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FOR! RICHARD GRAY

EET NO

PAUL J. BAILEY

ST. CLEMENTS SHORE SUBDIVISION