

TC 744-07

Gibbons - Neff, Henry

SUB

51829-6891

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/

July 6, 2009

Ms. Mary Kay Verdery
Talbot County Office of Planning and Zoning
28712 Glebe Road, Suite 2
Easton, Maryland 21601

Re: Gibbons-Neff Subdivision
S1096 (TM 24, P 214)

Dear Ms. Verdery:

Thank you for providing information on the above referenced subdivision plan. The applicant proposes to subdivide a property that is partially located within a Resource Conservation Area (RCA). Currently the site is undeveloped. Total parcel is 30.996 acres, with 12.433 acres located in the Critical Area. The parcel will be broken into a 2.024 acre lot (Lot 8, located outside of the Critical Area). The amount of lot coverage permitted within the Critical Area for Revised Lot 6 will be 43,560 square feet. Total forested area in the Critical Area is 2.183 acres (17.55%).

Based on the information provided, we have the following comment on this project:

- We recommend that a note be placed on the plat restricting non-agricultural access to Leeds Landing Road.

At this time, the applicant has addressed all of our previous comments. If there are questions regarding this project, please call (410) 260-3483.

Sincerely,

A handwritten signature in cursive script that reads "Nick Kelly".

Nick Kelly
Natural Resource Planner
Cc: TC 744-07

Martin O'Malley
Governor

Anthony G. Brown
Lt. Governor



Margaret G. McHale
Chair

Ren Serey
Executive Director

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

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

January 12, 2009

Ms. Mary Kay Verdery
Talbot County Office of Planning and Zoning
28712 Glebe Road, Suite 2
Easton, Maryland 21601

Re: **Gibbons-Neff Subdivision**
S1096 (TM 24, P 214)

Dear Ms. Verdery:

Thank you for providing information on the above referenced subdivision plan. The applicant proposes to subdivide a property that is partially located within a Resource Conservation Area (RCA). Currently, the site is undeveloped. Total parcel size is 30.996 acres, with 12.433 acres located in the Critical Area. The parcel will be broken into a 2.024 acre lot (Lot 8, located outside of the Critical Area) and a 28.792 acre lot (Revised Lot 6, located partially in the Critical Area). The amount of impervious surface permitted within the Critical Area for Revised Lot 6 will be 43,560 square feet. Total forested area in the Critical Area is 2.183 acres (17.55%).

Based on the information provided, we have the following comments on this project:

1. Please have the have applicant provide information on why Revised Lot 6 requires flagged access to Leeds Landing Road. Use of this access would require the location of a driveway or access road through the Reservation of Development Rights (RDR) area, which is not permitted. We recommend that a note be placed on the plat restricting non-agricultural access to Leeds Landing Road.
2. Revised Lot 6 has no development rights and is permanently protected; the lot may not be developed for residential, commercial, or industrial use.

3. Please have the applicant provide further clarification on why septic testing was completed in the RDR area, as this portion of Revised Lot 6 may not be developed for residential, commercial, or industrial use.
4. A letter from the Department of Natural Resources (DNR) Wildlife and Heritage Division states the Delmarva Fox Squirrel (DFS) is known to occur on or in the immediate vicinity of this property. While we understand that no development is proposed to occur within DFS habitat at this time, we suggest that the applicant place on a note on the site plan that restricts development within the wooded areas located onsite. In addition, the applicant should coordinate with the United States Fish and Wildlife Service on protection of this species.
5. Talbot County Soil Maps reveal that portions of the property are located in hydric soils (Keyport and Elkton). In the future, any proposed agriculture uses and structures should be constructed to avoid impacting these soils.
6. If forest is cleared in the Critical Area in the future for any agricultural structures, then mitigation will be required. If up to 20% of forest is cleared from the parcel, then mitigation at a ratio of 1:1 is required; if clearing is between 20% and 30%, then mitigation is 1.5:1; clearing of over 30% of the site requires 3:1 mitigation.

Thank you for providing the opportunity to comment on this project. If you have any questions, please feel free to call me at (410) 260-3483.

Sincerely,



Nick Kelly
Natural Resource Planner
cc: TC 744-07

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/

December 31, 2007

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

Re: 1096
Gibbons-Neff Subdivision

Dear Ms. Verdery:

Thank you for providing information on the above referenced subdivision plan. The applicant proposes to subdivide a property that is partially located within a Resource Conservation Area (RCA). Currently, the site is undeveloped. Total parcel size is 30.996 acres, with 12.433 acres located in the Critical Area. The parcel will be broken into a 5.726 acre lot (Lot 8, located outside of the Critical Area) and a 25.270 acre lot (Revised Lot 6, located partially in the Critical Area). The amount of impervious surface permitted will be 81,237 square feet for Revised Lot 6. Total forested area in the Critical Area is 2.183 acres (17.55%).


Based on the information provided, we have the following comments on this project:

1. Revised Lot 6 is designated as a Reservation of Development Rights (RDR) area. Therefore, Revised Lot 6 has no development rights and is permanently protected; the lot may not be developed for residential, commercial, or industrial use.
2. The plat states for Revised Lot 6 that "driveways and agriculture uses and structures are permitted" in the RDR area. However, Talbot County Zoning Code §190-57 C, Reservation of Development Rights Agreements, does not specify that driveways are permitted in an RDR area. Therefore, please have the applicant remove driveways from the list of permitted structures in the RDR. It appears that access to Revised Lot 6 can be obtained from Tunis Mills Road.
3. Talbot County Soil Maps reveal that portions of the property are located in hydric soils (Keyport and Elkton). In the future, any proposed agriculture uses and structures should be constructed to avoid impacting these soils.

4. The applicant must receive a letter from the Department of Natural Resources (DNR) Wildlife and Heritage Division evaluating the property to determine if there is the presence of any threatened or endangered species onsite. If present, the applicant must address all recommendations from DNR for protection of this species. Please forward to this office a copy of this letter. If there is the presence of such species onsite, a Habitat Protection Plan must be submitted to address proposed impacts.
5. If forest is cleared in the Critical Area in the future, then mitigation will be required. If up to 20% of forest is cleared from the parcel, then mitigation at a ratio of 1:1 is required; if clearing is between 20% and 30%, then mitigation is 1.5:1; clearing of over 30% of the site requires 3:1 mitigation.

Thank you for providing the opportunity to comment on this project. If you have any questions, feel free to call me at (410) 260-3483.

Sincerely,



Nick Kelly

Natural Resource Planner

cc: TC 744-07



TALBOT COUNTY OFFICE OF PLANNING & ZONING

28712 GLEBE ROAD, SUITE 2
EASTON, MARYLAND 21601

PHONE: 410-770-8030

FAX: 410-770-8043
TTY: 410-822-8735

TECHNICAL ADVISORY COMMITTEE NOTICE TO PROCEED



Date: March 18, 2009
Applicant: Henry and Kimberly Gibbons-Neff
Agent: Lane Engineering, LLC
Project: Preliminary Major Single Lot Subdivision with Private Road
Map 24, Grid 2, Parcel 214, Lot 6; RC/WRC
TAC review date: March 11, 2009
PC: April 1, 2009

Your application has been reviewed by the Technical Advisory Committee during their regularly scheduled meeting. The Technical Advisory Committee consists of representatives from the following agencies:

- Office of Planning & Zoning
- Department of Public Works
- Office of Environmental Health
- Soil Conservation District
- Environmental Planner
- DNR - Regional Forester
- Permits and Inspection
- State Highway Administration
- Critical Area Commission
- Local Fire Department
- Incorporated Municipality
- Utility Company
- Other

Attached, as indicated above, are comments from reviewing agencies related to your project. Should you have any questions, please contact the appropriate department for clarification. **Please submit ten (10) un-revised plats to the Planning and Zoning Office ten (10) days prior for review by the Planning Commission as noted above.**

If you have any further questions, please contact our office at (410) 770-8030.



MARY KAY VERDERY *MKV*
ASSISTANT PLANNING DIRECTOR

PHONE NUMBER 410-770-8030
FAX NUMBER 410-770-8043

TALBOT COUNTY OFFICE OF PLANNING AND ZONING

28712 Glebe Road, Suite 2
Easton, Maryland 21601

TECHNICAL ADVISORY COMMITTEE

APPLICANT NAME: **HENRY AND KIMBERLY GIBBONS-NEFF**

ADDRESS: 28711 Hope Circle, Easton

PROJECT NAME: Subdivision- Lands of Gibbons-Neff

LOCATION: Tunis Mills & Gregory Road, Easton

TAX MAP: 24 GRID: 2 PARCEL: 214 LOT: 6

REQUEST: Final Major Single Lot Subdivision with Private Road ZONING: RC/WRC

TAC REVIEW DATE: March 11, 2009 AGENT: Lane Engineering, LLC

COMMENTS:

1. The development rights calculation note should clarify that the maximum lot size for Lot 8 is 2.318 acres.
2. Impervious area references should be amended to lot coverage.
3. A shading pattern should be provided on the area of Lot 6 east of the intermittent stream and this area should be labeled as restricted from non-agricultural use with the exception of access and use of the Sewage Disposal Area.
4. The intermittent stream dividing Lot 6 should be delineated with the standard line style.
5. The building restriction line shown on the lands of Tam V. Phan lands should be labeled as 50' stream buffer.
6. A building restriction line should be provided on Lot 6 along the northern property line within the Critical Area.
7. All building restriction lines should be accurately labeled, especially on Revised Lot 6 in the area west of Lot 8.
8. A drainage and utility easement should be provided along the private road.
9. The test pit, soil boring and piezometer information shown in the critical area should be removed from the final plat.

TALBOT COUNTY DEPARTMENT OF PUBLIC WORKS

28712 GLEBE ROAD, SUITE 3
EASTON, MARYLAND 21601
PHONE 410-770-8170

MEMORANDUM

TO: Mary Kay Verdery, Planning & Zoning

FROM: Mike Mertaugh *MM*

DATE: March 11, 2009

SUBJECT: "Subdivision Plat for the Lands of
Henry Gibbons-Neff, Jr. & Kimberly J. Gibbons-Neff"
Tax Map 24, Grid 2, Parcel 214, Lot 6
Tunis Mills Road (public – County)
Lane Engineering

RE: **Technical Advisory Committee**
Plat Review

We have reviewed the referenced plat and offer the following comments:

1. Roadside drainage and utility easements should be shown on both sides of the proposed private road. It appears that the road alignment will require minor adjustments to ensure these easements will not encroach upon the natural conservation area. To minimize such impacts, the private road right-of-way is only required to be 40 feet wide, not the 50 feet provided.
2. If natural conservation area impacts from the private road corridor cannot be avoided at "pinch points" (e.g. at curve C8), the existing natural conservation area can be relocated as necessary.
3. The private road curve radii are much smaller than the desired 200 foot radius. Considering the relatively small deflection angles of these curves, the radii provided are acceptable provided the agent's engineer certifies in writing that the road can accommodate emergency vehicles.
4. The existing culvert at Tunis Mills Road frontage of subject lands should be removed upon completion of the private road. Notation to this effect should be provided on the plat.
5. Private road drainage outfalls should be provided on the plat, where appropriate.
6. For clarity, the plan view should represent that the subject lands are restricted from public road access, except at the private road.

Mary Kay Verdery, Planning & Zoning

Plat Review: Henry Gibbons-Neff, Jr. & Kimberly J. Gibbons-Neff

Date: March 11, 2009

Page No. 2

7. Two ditch segments are shown in the hedgerow/natural conservation area, concurrent and parallel to the west side property lines of Lot 8. The full extent of these ditches should be represented on the plat.
8. Lot 8, southern property line, 15 foot drainage and utility easement label: The agent should check the leaders for this notation. It appears that one leader is pointing to the wrong line.
9. Legend, existing natural conservation area: For clarity, add, "and additional notation hereon," to the end of this label.
10. Considering the recent Board of Appeals decision on this property, the following note should be added to the plat, "This stream crossing shall not be used for non-agricultural purposes, except as necessary to access and maintain the sewage disposal area." The note should be located in vicinity of the stream crossing.
11. East side of Lot 8, stream and stream buffer: For clarity, additional labels for these features should be provided in this vicinity.
12. South east corner of subject lands, at Gregory Road: It appears that this iron and cap set (IRCS) should be "found." The agent should verify and revise if appropriate.
13. The existing elevation contours, in vicinity of the shallow wildlife impoundment should be removed from the final plat.
14. Existing Lot 7: The agent should verify the ownership information of this adjoining parcel.

If there are any questions or if additional information is needed concerning these comments please give me a call at x8170.



**TALBOT COUNTY HEALTH DEPARTMENT
OFFICE OF ENVIRONMENTAL HEALTH**

SUITE 4
28712 GLEBE ROAD
EASTON, MARYLAND 21601
PHONE 410-770-6880

MEMORANDUM

TO: Mary Kay Verdery
Assistant Planning Officer

FROM: Anne Morse, R.S. *AM*
Director of Environmental Health

DATE: March 11, 2009

SUBJECT: Henry Gibbons-Neff, Jr. & Kimberley J. Gibbons-Neff
Subdivision/Preliminary Plat
Tax Map 24, Grid 2, Parcel 214 Lot 6

RE: "March" TAC Review

This office has completed its review of the above referenced project and offers the following comments:

1. Note: Proposed Lot 8 incorporates the Sewage Disposal Area that had been previously platted as Lot 6.
2. This office is concerned with the building site for a dwelling on Revised Lot 6. Depending on the location of the proposed dwelling it appears as though access to the sewage disposal area will require crossing the intermittent stream. Septic system installation will also result in crossing the intermittent stream.
3. Remove the topographic contours surrounding the shallow wildlife impoundment at the time of submittal of the final plat.
4. The ownership of adjoining lot 7 is not accurately reflected on the plat. The correct ownership information must be provided.
5. Note: The area located to the east of the SDA on Proposed Lot 6 is restricted from non-agricultural access and use with the exception of access and use of the SDA. The use of the SDA will require that the force main be encased in a PVC sleeve within 25-feet on either side of the crossing of the stream. This requirement will be specified on the Sanitary Construction Permit.

If you or the applicant has any questions regarding these comments please contact me at 410-770-6880.



Talbot Soil Conservation District

28577 Marys Ct., Easton, MD 21601-9744

Phone (410) 822-1577, Ext. 3, (410) 822-1583, Ext. 3 - Fax (410) 822-3162

March 11, 2009

Stacey Dahlstrom
Mary Kay Verdery
Talbot County Planning & Zoning
28712 Glebe Rd., Ste. 2
Easton, MD 21601

Re: Henry & Kimberly Gibbons-Neff
Preliminary Major Single Lot Subdivision with private road

Dear Stacey and Mary Kay:

Please accept the following as Talbot Soil Conservation District's (SCD) review comments for inclusion as part of the Talbot County Technical Advisory Committee review:

- 1.) Any subdivision that proposes construction activity of more than 5,000 sq. ft. of earth disturbance (road, stormwater management, grading, etc.) shall file a site specific Erosion and Sediment Control Plan for review and approval by the Talbot SCD.
- 2.) Currently any person planning construction activity disturbing more than one acre of earth must submit a National Pollutant Discharge Elimination System – Notice of Intent (NPDES-NOI) to the Maryland Department of the Environment (MDE) at least 48 hours prior to any land disturbance activity.
- 3.) Any **single lot subdivision** that proposes any land clearing, grading, or other earth disturbance within the unincorporated areas of Talbot County that fall under the following, would require an erosion and sediment control plan approved by the Talbot SCD:
 - Parcels \leq 2.0 acres disturbing between 5,000 – 15,000 sq. ft. and/or 100 – 500 cu. yds. shall file a Standard Erosion and Sediment Control Plan.
 - Parcels \geq 2.0 acres disturbing more than $\frac{1}{2}$ acre (21,780 sq. ft.) shall file a site specific Erosion and Sediment Control Plan.

Specifically, for the application by Henry & Kimberly Gibbons-Neff for a Preliminary Major Single Lot Subdivision with private road, Talbot SCD January 2008 TAC comments remain the same. The construction of the private road, Little Clovelly Lane, is expected to result in earth disturbances of approximately 44,000 sq. ft. (1.01 ac.) and therefore will require Erosion and Sediment Control Plan submittal to the Talbot Soil Conservation District for review and approval.

Yours in conservation,

Craig S. Zinter
District Manager
Talbot SCD



MEMORANDUM

DATE: March 11, 2009

TO: Henner and Kimberly Gibbons-Neff
Lane Engineering
Subdivision File, M1096

FROM: Elisa Deflaux, Environmental Planner
Talbot County Planning and Zoning
410-770-8034, edeflaux@talbgov.org

SUBJECT: **Map 24, Parcel 214, Lot 6**

* * * * *

Subdivision Plat

- ✚ The proposed private road name "Little Clovelly Lane is approved.
- ✚ The Environmental Assessment needs revision.
- ✚ The submittal indicated that a farmed nontidal wetland delineation aerial was submitted. This exhibit was not included.
- ✚ The brick entrance features need to be shown on the plan.
- ✚ The intermittent stream between proposed Lot 8 and the lands of Tam V. Phan and Terri L. Phan needs to be shown in the typical line style, and labeled in between the two parcels. The 50' stream buffer on the lands of Tam V. Phan and Terri L. Phan needs to be labeled.

Martin O'Malley
Governor

Anthony G. Brown
Lt. Governor



RECEIVED
JAN 13 2009

Margaret G. McHale
Chair

Ren Serey
Executive Director

TAC: 3.11.09

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 12, 2009

Ms. Mary Kay Verdery
Talbot County Office of Planning and Zoning
28712 Glebe Road, Suite 2
Easton, Maryland 21601

Re: **Gibbons-Neff Subdivision**
S1096 (TM 24, P 214)

Dear Ms. Verdery:

Thank you for providing information on the above referenced subdivision plan. The applicant proposes to subdivide a property that is partially located within a Resource Conservation Area (RCA). Currently, the site is undeveloped. Total parcel size is 30.996 acres, with 12.433 acres located in the Critical Area. The parcel will be broken into a 2.024 acre lot (Lot 8, located outside of the Critical Area) and a 28.792 acre lot (Revised Lot 6, located partially in the Critical Area). The amount of impervious surface permitted within the Critical Area for Revised Lot 6 will be 43,560 square feet. Total forested area in the Critical Area is 2.183 acres (17.55%).

Based on the information provided, we have the following comments on this project:

1. Please have the applicant provide information on why Revised Lot 6 requires flagged access to Leeds Landing Road. Use of this access would require the location of a driveway or access road through the Reservation of Development Rights (RDR) area, which is not permitted. We recommend that a note be placed on the plat restricting non-agricultural access to Leeds Landing Road.
2. Revised Lot 6 has no development rights and is permanently protected; the lot may not be developed for residential, commercial, or industrial use.

3. Please have the applicant provide further clarification on why septic testing was completed in the RDR area, as this portion of Revised Lot 6 may not be developed for residential, commercial, or industrial use.
4. A letter from the Department of Natural Resources (DNR) Wildlife and Heritage Division states the Delmarva Fox Squirrel (DFS) is known to occur on or in the immediate vicinity of this property. While we understand that no development is proposed to occur within DFS habitat at this time, we suggest that the applicant place on a note on the site plan that restricts development within the wooded areas located onsite. In addition, the applicant should coordinate with the United States Fish and Wildlife Service on protection of this species.
5. Talbot County Soil Maps reveal that portions of the property are located in hydric soils (Keyport and Elkton). In the future, any proposed agriculture uses and structures should be constructed to avoid impacting these soils.
6. If forest is cleared in the Critical Area in the future for any agricultural structures, then mitigation will be required. If up to 20% of forest is cleared from the parcel, then mitigation at a ratio of 1:1 is required; if clearing is between 20% and 30%, then mitigation is 1.5:1; clearing of over 30% of the site requires 3:1 mitigation.

Thank you for providing the opportunity to comment on this project. If you have any questions, please feel free to call me at (410) 260-3483.

Sincerely,



Nick Kelly
Natural Resource Planner
cc: TC 744-07



FILE COPY

TALBOT COUNTY OFFICE OF PLANNING & ZONING

28712 GLEBE ROAD, SUITE 2
EASTON, MARYLAND 21601

PHONE: 410-770-8030

FAX: 410-770-8043

TTY: 410-822-8735

TECHNICAL ADVISORY COMMITTEE NOTICE TO PROCEED

Calendared 2-15-08

Date: January 15, 2008
Applicant: Henry and Kimberly Gibbons-Neff
Agent: Lane Engineering, LLC
Project: Sketch Major 1 lot Subdivision with private road
Map 24 Grid 2 Parcel 214
TAC review date: January 9, 2008

Your application has been reviewed by the Technical Advisory Committee during their regularly scheduled meeting. The Technical Advisory Committee consists of representatives from the following agencies:

- Office of Planning & Zoning
- Department of Public Works
- Office of Environmental Health
- Soil Conservation District
- Environmental Planner
- DNR - Regional Forester
- Permits and Inspection
- State Highway Administration
- Critical Area Commission
- Local Fire Department
- Incorporated Municipality
- Utility Company
- Other

Attached, as indicated above, are comments from reviewing agencies related to your project. Should you have any questions, please contact the appropriate department for clarification. **Submit ten (10) un-revised plats ten days prior to your scheduled review by the Planning Commission as noted above.**

If you have any further questions, please contact our office at (410) 770-8030.



TALBOT COUNTY OFFICE OF PLANNING AND ZONING

28712 Glebe Road, Suite 2
Easton, Maryland 21601

TECHNICAL ADVISORY COMMITTEE REVIEW

REVIEW PREPARED BY: Mary Kay Verdery, Assistant Planning Officer *MKV*

APPLICANT NAME: **HENRY GIBBONS-NEFF, JR & KIMBERLY GIBBONS-NEFF**

ADDRESS: 28711 Hope Circle, Easton, MD 21601

PROJECT NAME: Subdivision plat for the lands of Henry Gibbons-Neff, Jr. & Kimberly J. Gibbons-Neff

LOCATION: Tunis Mills Road, Easton

TAX MAP: 24 GRID: 2 PARCEL: 214 LOT: 6

REQUEST: Single Lot Subdivision - Sketch

ZONING: Rural Conservation / Western Rural Conservation

AGENT: Lane Engineering, Inc. TAC REVIEW DATE: January 9, 2008

COMMENTS:

1. The piecemeal subdivision of this parcel over the past several years and the application of Bill 1105 have unfortunately resulted in the need to reconfigure proposed Lot 8. Development activity associated with 3 of the 5 original available development rights must be clustered on 11 acres. The two smallest previously created lots are, Lot 2 with 3.664 non-critical area acres and Lot 4 containing 5.018 non-critical acres.
2. Lots 2 & 4 total 8.682 acres, leaving 2.318 acres available for the development of proposed Lot 8.
3. The zoning classification and associated plat notes shall be revised to reflect that the non-critical portion of the subject lands is within the Western Rural Conservation district.

Gibbons-Neff
Single lot subdivision - sketch
TAC January 9, 2008

4. The non critical area development right note shall be revised to note; two development rights permitted per the plat recorded among the land records at MAS 81, P 591; two rights utilized, one Lot 8, one Revised Lot 6; zero remaining.
5. The critical area impervious calculation note is inconsistent with the allowable impervious coverage allocated to Lot 6 on the previously recorded plat. This inconsistency shall be clarified.
6. An impervious coverage table shall be provided for the Western Rural Conservation lands of Revised Lot 6 and Lot 8.
7. The statement within the plan view and critical area impervious calculation note regarding development in the RDR area shall be revised to state that the Reservation of Development Rights Area may not be developed for residential, commercial or industrial uses. The permitted use portion of this note shall be removed from the plat.
8. The shading pattern provided within the Natural Conservation Areas shall be revised to a more legible pattern.
9. The building permit statement provided under the Public Works title appears incorrect as it references public road access.
10. A copy of the Department of Natural Resources, Heritage and Biodiversity Division letter confirming if there are rare, threatened or endangered species on this site shall be forwarded to the Planning Office.

TALBOT COUNTY DEPARTMENT OF PUBLIC WORKS

28712 GLEBE ROAD, SUITE 3
EASTON, MARYLAND 21601
PHONE 410-770-8170

MEMORANDUM

TO: Mary Kay Verdery, Planning & Zoning

FROM: Mike Mertaugh *MM*

DATE: January 9, 2008

SUBJECT: "Subdivision Plat for the Lands of
Henry Gibbons-Neff, Jr. & Kimberly J. Gibbons-Neff"
Tax Map 24, Grid 2, Parcel 214, Lot 6
Tunis Mills Road (public - County)
Lane Engineering

RE: **Technical Advisory Committee**
Plat Review

We have reviewed the referenced plat and offer the following comments:

1. Lot 6 should be denied direct non-agricultural access to Tunis Mills Road except at the private road.
2. The private road note is missing much of the required standard wording. The agent should review this information and revise the note accordingly.
3. The note, "Building permits for single lots accessing...": This note does not apply to the subject subdivision and should be removed from the plat.
4. The private road alignment includes a 90 degree bend in front of Lot 8. A Maryland registered engineer or surveyor should certify that emergency vehicles can traverse this alignment without tracking onto the grass shoulders. An increased "pavement" width will likely be necessary to achieve this status. For clarity, a blow up of this area may be necessary on the plat.
5. A large concrete culvert exists between Lot 6 and Lot 8 at the end of private road. This improvement should be shown on the plan. Also, increasing the culvert length may be necessary to accommodate the above comment concerning emergency vehicle circulation.
6. Existing drainage easements: The agent should review these easements and ensure that they are labeled, including widths. Also, the agent should review the width information already provided to ensure it is correct.

7. The drainage easement, between the proposed private road and Lot 7 appears to be 15 feet wide on Lot 6, which is appropriate. The plat should indicate that the existing 7.5 foot wide drainage and utility easement in this area is being revised and expanded to a 15 foot wide roadside drainage and utility easement.
8. The existing drainage way, along the eastern side of Revised Lot 6 should be better represented/labeled on the plan view.
9. The existing drainage way along the side(s) of Lot 8 should be represented/labeled on the plat.
10. Lot 6, stream headwaters: A feature, perpendicular and connected to the end of this stream is represented within the tree line of this area. This feature should be further defined on the plat. If this is a ditch the ends/limits of the facility should be represented on the plat.
11. Lot 6, stream headwaters, "approximate location of existing culverts": The label/representation of this culvert(s) should be updated to eliminate the approximate location status.
12. The note, "The woods line shown hereon... ..2000 aerial photograph": If County aerial photography is to be used as the source of woods information, the latest aerial photography of 2006 should be utilized and referenced on the plat.
13. The stormwater management note should be expanded for clarity. The note should detail the total tract area and natural conservation area as originally developed on the previous plat and then itemize the amount of natural conservation area on Lots 6 and 7.
14. The shading used for natural conservation area is barely visible on the review copy provided this Office. Considering this and the State electronic archival system, a different pattern should be used for these areas.
15. The locations of some existing natural conservation areas on Lot 6 are not well defined. The areas of concern are those that encompass hedge rows through the middle of this Lot. For clarity, reference ties, offsets and/or course work should be provided to better locate these areas.
16. The previously recorded plat provided with this application package is reduced to fit on 8-1/2x11 paper, which is not entirely legible. A larger, legible copy, of this plat should be provided to the County for use in the review of this project.

If there are any questions or if additional information is needed concerning these comments please give me a call at x8170.



**TALBOT COUNTY HEALTH DEPARTMENT
OFFICE OF ENVIRONMENTAL HEALTH**

SUITE 4
28712 GLEBE ROAD
EASTON, MARYLAND 21601
PHONE 410-770-6880

MEMORANDUM

TO: Mary Kay Verdery
Assistant Planning Officer

FROM: Anne Morse, R.S. *ajm*
Director of Environmental Health

DATE: January 9, 2008

SUBJECT: "Henry Gibbons-Neff, Jr & Kimberly Gibbons-Neff"
Tax Map 24, Grid 2, Parcel 214 Lot 6

RE: "January" TAC Review

This office has completed its review of the above referenced project and offers the following comments:

1. This office has no record that soil/site evaluations were ever completed for sites P6A & P6B as shown. Site evaluations were completed as sites P6C, P6D, P6E. The locations of these piezometers and corresponding SDA appear to have been completed in vicinity of sites P6A & P6B. The locations of sites P6C, P6D, & P6E with the corresponding 76' X 132' SDA must be shown on the plat.
2. The owner must determine the extent of the seasonal pond created per the use of the earthen berm and associated culverts. Topography throughout the entire area of the seasonal pond must be provided on the plat as well as the invert elevations of the culverts, and elevations of the toe of the earthen berm.

If there are any questions or if additional information is needed concerning these comments please give me a call at 410-770-6880.



Talbot Soil Conservation District

215 Bay St. - Easton, MD 21601-2733 - Phone (410) 822-1583, Ext. 3, (410) 822-1577, Ext. 3 - Fax (410) 820-8919

January 9, 2008

George Kinney
Mary Kay Verdery
Talbot County Planning & Zoning
28712 Glebe Rd., Ste. 2
Easton, MD 21601

Re: Henry and Kimberly Gibbons-Neff
Sketch Major Subdivision
1 Lot Subdivision with Private Road

Dear George and Mary Kay:

Please accept the following as Talbot Soil Conservation District's (SCD) review comments for inclusion as part of the Talbot County Technical Advisory Committee review:

- 1.) Any subdivision that proposes construction activity of more than 5,000 sq. ft. of earth disturbance (road, stormwater management, grading, etc.) shall file a site specific Erosion and Sediment Control Plan for review and approval by the Talbot SCD.
- 2.) The resulting individual lots will require an erosion and sediment control plan approved by the Talbot SCD before any proposed land clearing, grading, or other earth disturbance within the unincorporated areas of Talbot County can occur.
- 3.) Currently any person planning construction activity disturbing more than one acre of earth must submit a National Pollutant Discharge Elimination System - Notice of Intent (NPDES-NOI) to the Maryland Department of the Environment (MDE) at least 48 hours prior to any land disturbance activity.

Specifically for this application by Henry and Kimberly Gibbons-Neff - Sketch Major Subdivision for a 1 Lot Subdivision with Private Road, the proposed private road construction activity is expected to exceed those limits stated above. If Erosion and Sediment control is applied for the private road only, then as a subdivision, the resulting individual lots will also be required to submit Erosion and Sediment control plans for review and approval before beginning construction.

Yours in conservation,

Craig S. Zinter
District Manager
Talbot SCD



MEMORANDUM

DATE: January 10, 2008

TO: Henner and Kimberly Gibbons-Neff
Lane Engineering
Subdivision File, M1096

FROM: Elisa Deflaux, Environmental Planner
Talbot County Planning and Zoning
410-770-8034, edeflaux@talbgov.org

SUBJECT: Map 24, Parcel 214, Lot 6

* * * * *

Subdivision Plat

- ✚ The proposed private road name "Little Clovelly Lane is approved.
- ✚ Several watercourses exist on the site that are not shown. The watercourses shall be shown, labeled and have the appropriate buffers.
- ✚ A farmed nontidal wetland delineation shall be submitted for this entire site.
- ✚ The wildlife pond shall be shown the plat.
- ✚ The woodline are not accurate.
- ✚ Once the lot configuration has been revised, the noncritical area environmental assessment shall be revised.
- ✚ A culvert pipe will be necessary for the driveway installation from the private road to proposed lot 8. The applicant will need to supply verification from MDE whether a permit from that agency is necessary.
- ✚ The shading patterns will need to be darkened on the subdivision plat.
- ✚ A Heritage Letter shall be submitted for this project.

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/

RECEIVED
JAN 02 2008

December 31, 2007

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

Re: 1096
Gibbons-Neff Subdivision

Dear Ms. Verdery:

Thank you for providing information on the above referenced subdivision plan. The applicant proposes to subdivide a property that is partially located within a Resource Conservation Area (RCA). Currently, the site is undeveloped. Total parcel size is 30.996 acres, with 12.433 acres located in the Critical Area. The parcel will be broken into a 5.726 acre lot (Lot 8, located outside of the Critical Area) and a 25.270 acre lot (Revised Lot 6, located partially in the Critical Area). The amount of impervious surface permitted will be 81,237 square feet for Revised Lot 6. Total forested area in the Critical Area is 2.183 acres (17.55%).

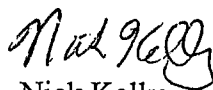
Based on the information provided, we have the following comments on this project:

1. Revised Lot 6 is designated as a Reservation of Development Rights (RDR) area. Therefore, Revised Lot 6 has no development rights and is permanently protected; the lot may not be developed for residential, commercial, or industrial use.
2. The plat states for Revised Lot 6 that "driveways and agriculture uses and structures are permitted" in the RDR area. However, Talbot County Zoning Code §190-57 C, Reservation of Development Rights Agreements, does not specify that driveways are permitted in an RDR area. Therefore, please have the applicant remove driveways from the list of permitted structures in the RDR. It appears that access to Revised Lot 6 can be obtained from Tunis Mills Road.
3. Talbot County Soil Maps reveal that portions of the property are located in hydric soils (Keyport and Elkton). In the future, any proposed agriculture uses and structures should be constructed to avoid impacting these soils.

4. The applicant must receive a letter from the Department of Natural Resources (DNR) Wildlife and Heritage Division evaluating the property to determine if there is the presence of any threatened or endangered species onsite. If present, the applicant must address all recommendations from DNR for protection of this species. Please forward to this office a copy of this letter. If there is the presence of such species onsite, a Habitat Protection Plan must be submitted to address proposed impacts.
5. If forest is cleared in the Critical Area in the future, then mitigation will be required. If up to 20% of forest is cleared from the parcel, then mitigation at a ratio of 1:1 is required; if clearing is between 20% and 30%, then mitigation is 1.5:1; clearing of over 30% of the site requires 3:1 mitigation.

Thank you for providing the opportunity to comment on this project. If you have any questions, feel free to call me at (410) 260-3483.

Sincerely,



Nick Kelly
Natural Resource Planner
cc: TC 744-07

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

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

RECEIVED
APR 02 2009

April 2, 2009

Ms. Mary Kay Verdery, Asst. Planning Officer
Talbot County Office of Planning and Zoning
28712 Glebe Road, Suite 2
Easton, Maryland 21601

RE: Henry Gibbons – Neff, Jr. and Kimberly Gibbons-Neff – Major Subdivision Plat,
FINAL PLAT REVIEW
Tunis Mills Road in Easton
RC/WRC (subdivision in WRC, RC lands subject to existing RDR)
24-2-214, Lot 6

Dear Mary Kay:

Please find enclosed the resubmittal fee of \$300 along with ten (10) copies of the above noted line revision/major subdivision Final Plat, which has been revised per the following TAC comments of March 11, 2009:

Planning and Zoning

- ✓1. The development rights calculations note now clarifies that the maximum lot size for Lot 8 is 2.318 acres.
- ✓2. Impervious area references have been revised to state “lot coverage”.
- ✓3. A shading pattern is now shown on the area of Lot 6 east of the intermittent stream. This area has been labeled as “restricted from non-agricultural use with the exception of access and used of the SDA”.
- ✓4. The intermittent stream dividing Lot 6 is now shown with the standard line style.
- ✓5. The BRL shown on the Lands of Tam Phan is now labeled as 50’ stream buffer.
- ✓6. A BRL is now provided on Lot 6 along the northern property line within the critical area.
- ✓7. All BRLs area now accurately labeled included on Revised Lot 6 in the area west of Lot 8.
- ✓8. A D&U easement is now provided along the private road easement.
- ✓9. The soil work information shown in the critical area has been removed from the plat.



www.leInc.com
general@leInc.com

Dept of Public Works

- ✓1. The private road easement has been reduced to 40' in width, flaring to 50' at the lot frontage. The NCA has been slightly adjusted to allow for a 15' D&U on either side of the road easement.
- ✓2. A very small sliver of the NCA along the private road easement has been relocated to allow for the D&U easement.
- ✓3. An exhibit is enclosed, prepared by Lee Mayer, P.E. of our office, which shows the private road easement can accommodate emergency vehicles.
- ✓4. The existing culvert at Tunis Mills Rd will actually be relocated to the center of the proposed private road easement (there will only be 1 culvert along this frontage).
- ✓5. Private road drainage outfalls are now provided on the plat.
- ✓6. The plan view now represents that the subject lands are restricted from public road access, except at the private road easement.
- ✓7. The ditch segments are not connected.
- ✓8. The leader for the 15' D&U easement at the southern property line of Lot 8 has been revised.
- ✓9. In the legend description for natural conservation area, the statement "and additional notation hereon" has been added to the end of the label.
- ✓10. The note, "This stream crossing ... sewage disposal area" has been added to the plat as requested.
- ✓11. The stream and stream buffer on the east side of Lot 8 have been clarified with additional labels.
- ✓12. The IRCS labeled at the southeast corner of Gregory Rd is correct. It was not set at the time of the last subdivision for George Wilson (2004) and was not labeled then as to be set.
- ✓13. The topo provided in the vicinity of the wildlife pond have been removed from the plat.
- ✓14. The new owner of Lot 7 is now shown on the plat.

Talbot County Health Dept

- ✓1. We understand that Lot 8 incorporates the SDA that has been previously shown for Lot 6.
- ✓2. The dwelling on Lot 6 will be located west of the intermittent stream and therefore, the septic system will cross the stream. The applicant will coordinate with your office on this at time of building permit submittal.
- ✓3. Please see DPW response #13 above.
- ✓4. Please see DPW response #14 above.
- ✓5. We understand that the SCP with the building permit will specify what the requirements are for the septic system on Lot 6. A note has been added to the area east of Lot 6 which clarifies its agricultural use only.

Talbot SCD

- ✓1. We understand that at such time the private road easement is constructed, SCS approval will be required (upon building permit submittal). Individual lots will apply for SCS approval as needed.

Environmental Planner

- ✓1. We understand that the road name is approved.
- ✓2. The NCA Environmental Assessment has been revised.
- ✓3. The farmed NTW aerial package is included. It was previously submitted on November 15, 2008, with explanation letter by Stark McLaughlin dated November 14, 2008.
- ✓4. The brick entrance pillars are now shown on the plat.
- ✓5. Please see PZ responses # 4 and 5 above.

Critical Area Commission

- ✓1. Revised Lot 6 does not require flagged access to Leeds Landing Road – this is the configuration of the original parcel and also a zoning boundary.
- ✓2. We understand that Revised Lot 6 has no development rights.
- ✓3. Septic testing was completed in the RDR area before it was restricted with RDR. However, these soil borings have been removed from the plat.
- ✓4. A DNR heritage letter is included. A plat note regarding the DFS will suffice; no construction is proposed in the hedgerows and thus no impacts will occur.
5. The client will be made aware of the request not to construct in hydric soils; the Planning Commission does not support this request and approved the sketch plan with the omission of this request.
- ✓6. We understand mitigation ratios for forest clearing.

As all issues have been addressed, please place the major subdivision plat on the agenda for review at the next available TAC meeting, which I believe is July 8, 2009; Planning Commission review is not required as preliminary/final approval was received at the April 1, 2009 meeting.

Please call should you have any questions. Thank you.

Sincerely,

Lane Engineering, LLC.


Elizabeth Fink

Project Planner I

Cc: Henner Neff

Lane Engineering, LLC

Established 1986

Civil Engineers • Land Planning • Land Surveyors

RECEIVED
NOV 20 2008

15 Washington Street
Cambridge, Maryland 21613
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Tel 410-822-8003
Fax 410-822-2024

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

November 11, 2008

Ms. Mary Kay Verdery, Asst. Planning Officer
Talbot County Office of Planning and Zoning
28712 Glebe Road, Suite 2
Easton, Maryland 21601

RE: Henry Gibbons – Neff, Jr. and Kimberly Gibbons-Neff – Major Subdivision Plat,
PRELIMINARY PLAT REVIEW
Tunis Mills Road in Easton
RC/WRC (subdivision in WRC, RC lands subject to existing RDR)
24-2-214, Lot 6

Dear Mary Kay:

Please find enclosed ten (10) copies of the above noted line revision/minor subdivision preliminary plat, which has been revised per the following TAC comments of January 9, 2008:

Planning and Zoning

- ✓1. We understand that the new zoning regulations and previous subdivision activity require the reconfiguration of Lot 8.
- ✓2. Lot 8 totals less than 2.318 acres to meet the zoning regulations.
- ✓3. The zoning classification and associated notes have been revised to reflect the WRC zone.
- ✓4. The noncritical area development right note has been revised as requested.
- ✓5. The critical area impervious table has been revised to accurately reflect the allowable impervious area for Lot 6.
- ✓6. An impervious area table is now included for the WRC zoned lands.
- ✓7. The statement within the plan view and in the impervious calculation note, regarding the permitted use of the RDR area, has been revised as requested.
- ✓8. The shading pattern within the NCA has been revised so that it is more legible.
- ✓9. The building permit statement under the DPW notes section has been revised.
- ✓10. A DNR heritage letter is included.



Dept of Public Works

- ✓1. Revised Lot 6 is now denied direct non-agricultural access to Tunis Mills Road except at the private road easement.
- ✓2. The private road easement note has been revised.
- ✓3. The note, "building permits for single" has been removed from the plat.
- ✓4. The 90 degree bend is no longer an issue as this private road easement configuration has been revised so that there is no 90 degree bend (that was in the old configuration).
- ✓5. The concrete culvert on Revised Lot 6 is now shown. The culvert will not need an extension as it is not being used for access anymore.
- ✓6. The existing drainage easements have been reviewed for labeling and width accuracy.
- ✓7. The plat on record shows an existing 20' drainage easement here; this is what we have shown.
- ✓8. The existing drainage way, along the eastern side of Revised Lot 6, is now better defined on the plat.
- ✓9. The existing drainage way, along the sides of Revised Lot 6, is now represented/labeled on the plat.
- ✓10. Revised Lot 6, stream headwaters: The perpendicular lines located within the hedgerow represent a ditch. This is now better defined on the plat.
- ✓11. Revised Lot 6, stream headwaters: the culverts are now shown per field survey.
- ✓12. The latest aerial photography was used to show the woodline.
- ✓13. The SWM note has been expanded for clarity.
- ✓14. See PZ response #8.
- ✓15. The locations of the existing NCA areas are now better defined.
- ✓16. A copy of the recorded plat is enclosed, per request.

Talbot County Health Dept

- ✓1. The locations of P6C, P6D and P6E with SDA are now shown on the plat.
- ✓2. Topo is now shown in the vicinity of the pond, along with the inverts of the culverts and elevation of the toe of the berm.

Talbot SCD

- ✓1. We understand that at such time the private road easement is constructed, SCS approval will be required (upon building permit submittal). Individual lots will apply for SCS approval as needed.

Environmental Planner

- ✓1. We understand that the road name is approved.
- ✓2. The streams/nontidal wetlands (in ditch) on site are now shown.
- ✓3. A farmed wetland nontidal delineation aerial, showing soils overlay, is enclosed.
I assume that you will have Al Kampmeyer on site to delineate.
- ✓4. The wildlife pond is now shown on the plat.
- ✓5. The woodline is now accurate.
- ✓6. The NCA Environmental Assessment has been revised to reflect the reconfiguration of Lot 8.

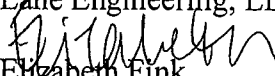
- ✓7. The shading patterns have been revised for clarity.
- ✓8. A DNR heritage letter is included.

Critical Area Commission

- ✓1. We understand that Revised Lot 6 has no development rights.
- ✓2. Please see PZ response #7.
- 7 - ✓3. The client will be made aware of the request not to construct in hydric soils; the Planning Commission does not support this request and approved the sketch plan with the omission of this request.
- ✓4. A DNR heritage letter is included. A plat note regarding the DFS will suffice; no construction is proposed in the hedgerows and thus no impacts will occur.
- ✓5. We understand mitigation ratios for forest clearing.

As all issues have been addressed, please place the ~~mix~~or subdivision plat on the agenda for review at the next available TAC meeting, which I believe is April 8, 2009; Planning Commission review is not required.

Please call should you have any questions. Thank you.

Sincerely,
Lane Engineering, LLC.

Elizabeth Fink
Project Planner I

Cc: Henner Neff

PROPERTY STATISTICS

OWNER: HENRY GIBBONS-NEFF, JR. KIMBERLY J. GIBBONS-NEFF 28711 HOPE CIRCLE EASTON, MARYLAND 21601 PHONE: 410-822-1335 DEED REFERENCE: 1567/272 PLAT REFERENCE: MAS 81/591 ZONING CLASSIFICATION: RURAL CONSERVATION (RC) & WESTERN RURAL CONSERVATION (WRC) & VILLAGE CENTER (VC) MINIMUM LOT SIZE: 2 ACRES (RC) AND 1 ACRE (WRC) BUILDING RESTRICTIONS: RC AND WRC (LOTS GREATER THAN 2 ACRES) 50' FRONT 50' SIDE 100' PERENNIAL STREAM (WATERS OF THE US) 25' NONTIDAL WETLANDS 20' SEWAGE DISPOSAL AREA BUFFER FROM ANY STRUCTURE 50' INTERMITTENT STREAM (WRC)

THE PROPERTY SHOWN HEREON IS LOCATED PARTIALLY WITHIN THE CHESAPEAKE BAY CRITICAL AREA.

TALBOT COUNTY DEPARTMENT OF PUBLIC WORKS

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

THE ROAD, DESIGNATED AS "LITTLE CLOVELLY LANE", 40' WIDE PRIVATE ROAD EASEMENT HEREBY ESTABLISHED, SHALL BE PRIVATELY OWNED AND AS SUCH THE COUNTY HAS NO RESPONSIBILITY FOR ITS MAINTENANCE OR SAFETY. THE PRIVATE ROAD EASEMENT SHALL BE OWNED BY THE OWNERS OF REVISED LOT 6 AND EQUALLY MAINTAINED BY THE OWNERS OF REVISED LOT 6 AND LOT 8.

BUILDING PERMITS FOR PROPERTY LOTS USING THE PRIVATE ROAD EASEMENT SHALL BE RESTRICTED UNTIL THE COUNTY IS IN RECEIPT OF A NOTARIZED CERTIFICATION FROM THE OWNER(S) AND ROAD CONSTRUCTION CONTRACTOR THAT THE ROAD WAS CONSTRUCTED ACCORDING TO THE REQUIREMENTS OF THE TALBOT COUNTY CODE. SHOULD THE ROAD BE UPGRADED TO COUNTY SPECIFICATIONS FOR PUBLIC ROADS, IN ACCORDANCE WITH THE PROVISIONS OF THE TALBOT COUNTY CODE, THE COUNTY WILL ASSUME OWNERSHIP OF THE ROAD AND RESPONSIBILITY FOR ITS MAINTENANCE, SAFETY AND INSPECTION.

THESE LOTS HAVE BEEN DEVELOPED IN ACCORDANCE WITH THE "2000 MARYLAND STORMWATER DESIGN MANUAL", ENVIRONMENTALLY SENSITIVE DEVELOPMENT CRITERIA (CHAPTER 5 - STORMWATER CREDITS FOR INNOVATIVE SITE PLANNING) IN ACCORDANCE WITH THE CRITERIA, 25% OF THE GROSS SITE AREA IS PROTECTED AS "NATURAL CONSERVATION AREA" AS SHOWN HEREON.

REVISOR LOT 6 IS DENIED DIRECT NON-AGRICULTURAL ACCESS TO GREGORY ROAD. REVISED LOT 6 IS DENIED DIRECT NON-AGRICULTURAL ACCESS TO TUNNIS MILL ROAD EXCEPT AT THE 40' WIDE PRIVATE ROAD EASEMENT AS SHOWN HEREON.

TALBOT COUNTY ENGINEER DATE 10/29/09

FOREST COVER CALCULATIONS

AREA IN CRITICAL AREA= 12.433 AC.± REQUIRED FOREST IN CRITICAL AREA= 1.865 AC.± (15% OF 12.433 AC.±) EXISTING FOREST IN CRITICAL AREA= 2.183 AC.± EXISTING FOREST IN NON CRITICAL AREA= 3.463 AC.± NOTE: FOREST CONSERVATION WAS PREVIOUSLY SATISFIED WITH THE SUBDIVISION OF LOTS 5-7; SEE PLAT MAS 81, PG. 591.

LOT COVERAGE CALCULATIONS IN CRITICAL AREA

REVISED LOT 6= 28.792 AC.± AREA IN CRITICAL AREA= 12.433 AC.± ALLOWABLE LOT COVERAGE= 43,560 SQ. FT. PER PLAT RECORDED AMONG THE LAND RECORDS AT MAS 81, PG. 591 EXISTING LOT COVERAGE= 0 SQ. FT. REMAINING ALLOWABLE LOT COVERAGE= 43,560 SQ. FT. (MAY NOT BE USED FOR RESIDENTIAL, COMMERCIAL OR INDUSTRIAL USE)

LOT COVERAGE CALCULATIONS IN NONCRITICAL AREA

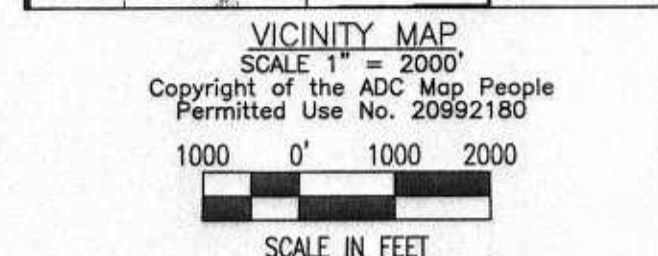
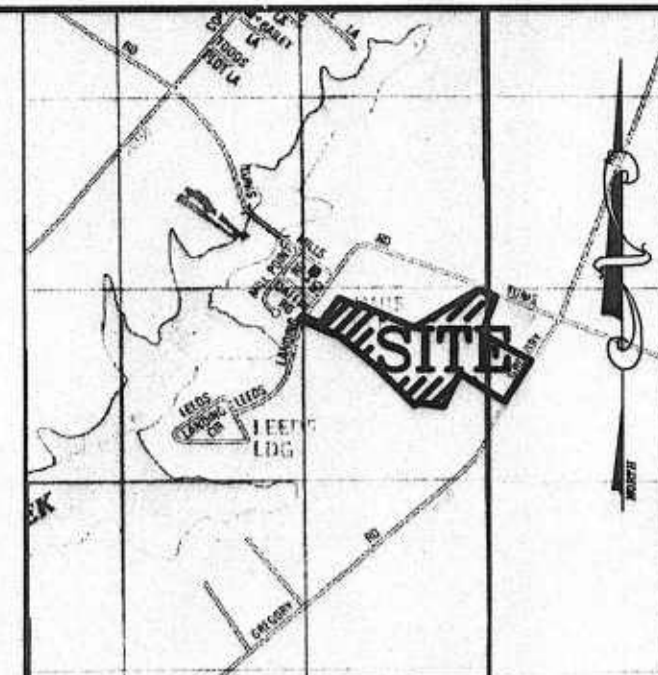
REVISED LOT 8= 2.024 AC.± AREA IN NONCRITICAL AREA= 16.359 AC.± 15% ALLOWABLE LOT COVERAGE= 106,890 SQ. FT. EXISTING LOT COVERAGE= 6 SQ. FT. (BRICK PILLARS) REMAINING ALLOWABLE LOT COVERAGE= 106,884 SQ. FT. LOT 8= 2.024 AC.± AREA IN NONCRITICAL AREA= 2.024 AC.± 15% ALLOWABLE LOT COVERAGE= 13,225 SQ. FT. EXISTING LOT COVERAGE= 0 SQ. FT. REMAINING ALLOWABLE LOT COVERAGE= 13,225 SQ. FT.

40' WIDE PRIVATE ROAD EASEMENT "LITTLE CLOVELLY LANE" LINE TABLE

Table with 3 columns: LINE, BEARING, DISTANCE. Rows L1 through L9.

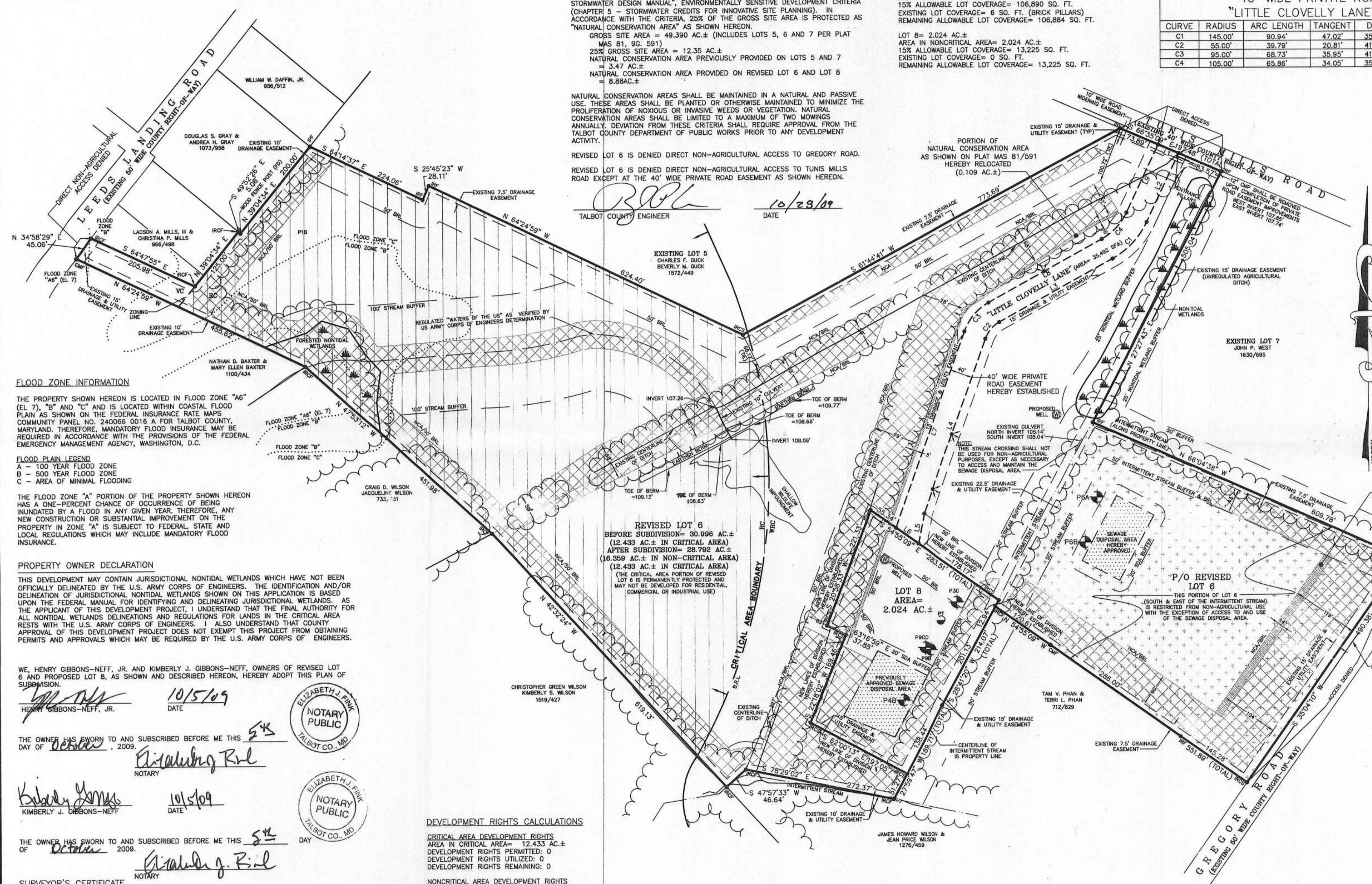
40' WIDE PRIVATE ROAD EASEMENT "LITTLE CLOVELLY LANE" CURVE TABLE

Table with 7 columns: CURVE, RADIUS, ARC LENGTH, TANGENT, DELTA, CHD. BEARING, CHD. LENGTH. Rows C1 through C4.



LEGEND

- INDICATES TEST PIT
INDICATES SOIL BORING
INDICATES PIEZOMETER
NATURAL CONSERVATION AREA (NCA), (386,560 SQ. FT. 8.88 AC.±)
INDICATES SEWAGE DISPOSAL AREA
IRON ROD AND CAP FOUND
IRON ROD AND CAP SET
IRON ROD FOUND
IRON PIPE FOUND
CONCRETE MONUMENT FOUND
FORESTED NONTIDAL WETLANDS
EXISTING RESERVATION OF DEVELOPMENT RIGHTS
AREA RESTRICTED FROM NON-AGRICULTURAL USE
PERPETUAL EASEMENT TO DISCHARGE FLOW OF WATER UPON EXISTING GROUND
PORTION OF NATURAL CONSERVATION AREA AS SHOWN ON PLAT MAS 81/591 TO BE RELOCATED (0.109 AC.±)
RELOCATED NATURAL CONSERVATION AREA HEREBY ESTABLISHED (0.109 AC.±)



FLOOD ZONE INFORMATION

THE PROPERTY SHOWN HEREON IS LOCATED IN FLOOD ZONE "A6" (EL. 7). "A6" IS LOCATED WITHIN COASTAL FLOOD PLAIN AS SHOWN ON THE FEDERAL INSURANCE RATE MAPS COMMUNITY PANEL NO. 240066 0016 A FOR TALBOT COUNTY, MARYLAND. THEREFORE, MANDATORY FLOOD INSURANCE MAY BE REQUIRED IN ACCORDANCE WITH THE PROVISIONS OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, WASHINGTON, D.C.

FLOOD PLAIN LEGEND

A - 100 YEAR FLOOD ZONE
B - 500 YEAR FLOOD ZONE
C - AREA OF MINIMAL FLOODING

PROPERTY OWNER DECLARATION

THIS DEVELOPMENT MAY CONTAIN JURISDICTIONAL NONTIDAL WETLANDS WHICH HAVE NOT BEEN OFFICIALLY DELINEATED BY THE U.S. ARMY CORPS OF ENGINEERS. THE IDENTIFICATION AND/OR DELINEATION OF JURISDICTIONAL NONTIDAL WETLANDS SHOWN ON THIS APPLICATION IS BASED UPON THE FEDERAL MANUAL FOR IDENTIFYING AND DELINEATING JURISDICTIONAL WETLANDS.

WE, HENRY GIBBONS-NEFF, JR. AND KIMBERLY J. GIBBONS-NEFF, OWNERS OF REVISED LOT 6 AND PROPOSED LOT 8, AS SHOWN AND DESCRIBED HEREON, HEREBY ADOPT THIS PLAN OF SUBDIVISION. DATE 10/5/09

THE OWNER HAS SWORN TO AND SUBSCRIBED BEFORE ME THIS DAY OF October, 2009. Notary signature and seal.

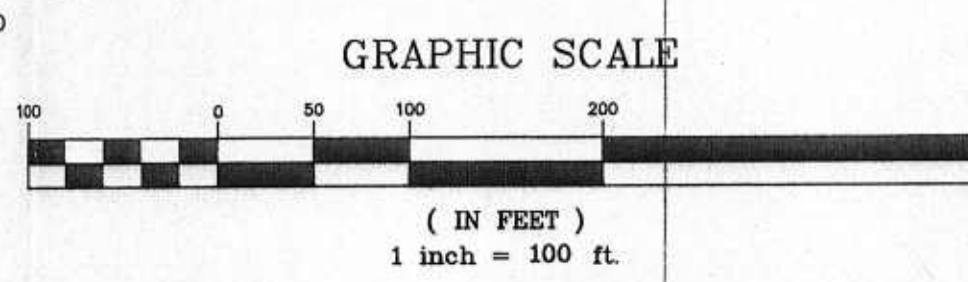
THE OWNER HAS SWORN TO AND SUBSCRIBED BEFORE ME THIS DAY OF October, 2009. Notary signature and seal.

SURVEYOR'S CERTIFICATE: THE PRESENT OWNERS OF THE LAND OF WHICH THIS SUBDIVISION IS COMPRISED ARE HENRY GIBBONS-NEFF, JR., AND KIMBERLY J. GIBBONS-NEFF. THE OWNERS CONCUR WITH ALL NOTATIONS AND REPRESENTATIONS ON THIS PLAT WHICH IS PREPARED FOR AND WILL BE RECORDED AT THEIR REQUEST.

I, THOMAS D. LANE, HEREBY CERTIFY THAT THE PLAT SHOWN HEREON IS CORRECT; THAT IT IS A SUBDIVISION OF THE LAND CONVEYED BY KNIGHTLY POINT PARTNERSHIP, LLP TO HENRY GIBBONS-NEFF, JR. AND KIMBERLY J. GIBBONS-NEFF BY DEED DATED AUGUST 17, 2007 AND RECORDED AMONG THE LAND RECORDS OF TALBOT COUNTY, MARYLAND IN LIBER 1567, FOLIO 272; AND THAT ALL MONUMENTS ARE IN PLACE.

THIS SUBDIVISION HAS BEEN PREPARED BY THE LICENSEE EITHER PERSONALLY OR UNDER THEIR DIRECTION AND SUPERVISION AND COMPLIES WITH THE REQUIREMENTS AS SET FORTH IN REGULATION 09.13.06.12 OF THE MARYLAND MINIMUM STANDARDS FOR SURVEYING.

THOMAS D. LANE, PROPERTY LINE SURVEYOR NO. 340, P.O. BOX 1767, EASTON, MARYLAND 21601, (410)822-8003. DATE 10/5/09.



TALBOT COUNTY OFFICE OF PLANNING AND ZONING

THE PURPOSE OF THIS PLAT IS TO SUBDIVIDE THE LANDS OF HENRY GIBBONS-NEFF, JR. AND KIMBERLY J. GIBBONS-NEFF, PREVIOUSLY RECORDED AMONG THE PLAT RECORDS OF TALBOT COUNTY AT MAS 81, P.591. DATE 10-29-09

TALBOT COUNTY HEALTH DEPARTMENT

REVISED LOT 6 AND LOT 8 AS SHOWN HEREON ARE APPROVED FOR INDIVIDUAL WATER AND SEWERAGE DISPOSAL SYSTEMS AND THEIR USE IS IN ACCORDANCE WITH THE TALBOT COUNTY COMPREHENSIVE WATER AND SEWER PLAN AND MARYLAND DEPARTMENT OF ENVIRONMENT REGULATION 26.04.03. THE HEALTH DEPARTMENT APPROVAL ON THE PLAT CERTIFIES THAT THE LOTS SHOWN HEREON ARE IN COMPLIANCE WITH THE PERTINENT HEALTH DEPARTMENT LAWS AND REGULATIONS AS OF THE APPROVAL DATE. THIS APPROVAL DOES NOT SERVE AS A SEWAGE DISPOSAL INSTALLATION PERMIT AND THE PROPERTY OWNER IS NOTIFIED THAT HE MUST STILL APPLY FOR AND OBTAIN A SEWAGE DISPOSAL PERMIT BEFORE DEVELOPING THE PROPERTY.

ENVIRONMENTAL NOTES

THIS DEVELOPMENT MAY CONTAIN THREATENED OR ENDANGERED SPECIES PROTECTED UNDER THE ENDANGERED SPECIES ACT AS AMENDED, THE U.S. DEPARTMENT OF THE INTERIOR, FISH & WILDLIFE SERVICE ADMINISTRATIVE REGULATIONS DESIGNED TO PROTECT THESE THREATENED AND ENDANGERED SPECIES AND THEIR HABITATS. AS THE APPLICANT FOR THIS DEVELOPMENT ACTIVITY, I UNDERSTAND THAT THESE SPECIES AND THEIR HABITAT RESTS WITH THE U.S. DEPARTMENT OF THE INTERIOR, FISH & WILDLIFE SERVICE. I ALSO UNDERSTAND THAT THE COUNTY APPROVAL OF THIS PROJECT DOES NOT EXEMPT THIS PROJECT FROM OBTAINING ALL PERMITS AND APPROVALS, WHICH MAY BE REQUIRED BY THE U.S. DEPARTMENT OF THE INTERIOR, FISH & WILDLIFE SERVICE.

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

BY ACCEPTANCE OF THE DEED TO THIS PROPERTY, EACH LOT OWNER OR THEIR SUCCESSORS OR ASSIGNS, HEREBY ACKNOWLEDGE THAT THEY ARE AWARE THAT THE PROPERTY BORDERS ON PROPERTY UNDER AGRICULTURAL USE AND THAT THE NORMAL FARMING OPERATIONS ON SUCH AGRICULTURAL LAND MAY CAUSE SOME INTERFERENCE WITH THE USE AND ENJOYMENT OF THE PROPERTY, SUCH AS ODOR, DUST, NOISE, AND DRIFT OF HERBICIDES OR CHEMICALS. THE LOT OWNER ACCEPTS THE LIMITATIONS ON USE AND ENJOYMENT AFFECTING THE PROPERTY.

ANY LAND CLEARING, GRADING OR OTHER EARTH DISTURBANCE WITHIN THE UNINCORPORATED AREAS OF TALBOT COUNTY SHALL REQUIRE AN EROSION AND SEDIMENT CONTROL PLAN, APPROVED BY THE TALBOT COUNTY PLANNING DISTRICT IN ACCORDANCE WITH THE TALBOT COUNTY SOIL EROSION AND SEDIMENT CONTROL ORDINANCE AND THE STATE OF MARYLAND EROSION AND SEDIMENT CONTROL LAW, COMAR 4-103 & 26.09.01.05.

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

THE WOODS LINE SHOWN HEREON WAS TAKEN FROM THE TALBOT COUNTY, MARYLAND MARCH 2006 AERIAL PHOTOGRAPH.

THE CRITICAL AREA LINES SHOWN HEREON WERE TAKEN FROM D.N.R. WETLANDS MAP NO. 99. THE NONTIDAL WETLANDS AREA AS SHOWN HEREON WAS TAKEN FROM NATIONAL WETLANDS INVENTORY MAP OF ST. MICHAELS, MD.

THE PERENNIAL AND INTERMITTENT STREAMS AS SHOWN HEREON WERE TAKEN FROM UNITED STATES GEOLOGICAL SURVEY MAP OF ST. MICHAELS, MD.

THIS PROPERTY IS SUBJECT TO A JURISDICTIONAL DETERMINATION(S) AS DELINEATED BY THE ARMY CORPS OF ENGINEERS, DATED MARCH 21, 2006.

Administrative sidebar containing: RECEIVED stamp (OCT 06 2009), SUBDIVISION PLAT FOR THE LANDS OF HENRY GIBBONS-NEFF, JR. & KIMBERLY J. GIBBONS-NEFF, SHEET No. 1 OF 1, FILE No. 1565, and various stamps from the Talbot County Commission and Planning Office.