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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/

May 6, 2010

Mr. Anthony DiGiacomo, AICP
Cecil County Government
Office of Planning and Zoning
County Administration Building
200 Chesapeake Boulevard, Suite 2300
Elkton, MD 21921

Re: **Smith Creek Subdivision, Lots 1-3**
Revised Concept Plat (TM 58, P 2)

Dear Mr. DiGiacomo:

Thank you for forwarding the Environmental Assessment (EA) for the above-referenced project. The applicant proposes to create a 3-lot subdivision, in which a portion of the property is located within the Critical Area and is designated as a Resource Conservation Area (RCA).

Based on the information provided, I still have the following comments that have yet to be addressed by the applicant. These comments were taken from several previous letters that were provided from this office (December 3, 2008, October 1, 2009, November 2, 2009, April 5, 2010):

1. Since this concept plat was submitted after July 1, 2008, and since the subdivision is proposed within a Resource Conservation Area, the minimum required Buffer is 200 feet from tidal waters or a tidal wetland (Natural Resources Code §8-1808.10). The applicant continues to provide only a 110-foot Buffer. Please have the applicant provide a revised site plan that provides a minimum 200-foot Buffer that is expanded for hydric soils, highly erodible soils, or steep slopes, if necessary.
2. Regulations concerning the 100-foot, 200-foot, and expanded Buffer (COMAR 27.01.09.01) are now effective. Since this project is covered by the new State regulations, the project must meet the requirements found in the aforementioned sections of COMAR in order to be approved by the County. This information must be included in an approved Buffer Management Plan. We request that the applicant forward a copy of the Buffer Management Plan to this office for review and comment. We note that final subdivision approval cannot be granted by the County without an approved Buffer Management Plan.

3. Please provide the following information on both the concept plat and the project's Environmental Assessment (EA) plat:
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- a. The amount of State tidal wetlands. The applicant currently notes only the amount of private tidal wetlands. The amount of State and wetlands should also be broken down by **each** lot as well. Please note, State tidal wetlands cannot be included within the boundaries of any privately owned lot or parcel per Annotated Code of Maryland – State Finance & Procurement Article §10-301, which establishes inland waters of the State & land under those waters as State real property. Further, areas of State tidal wetlands cannot be used for density calculations or to meet the performance standards for development within the Critical Area;
 - b. Total existing lot coverage for each Critical Area lot (and the entire Critical Area portion of the site);
 - c. The overall lot coverage limit for the entire Critical Area portion of site;
 - d. A note referencing the time-of-year restrictions for any construction of water-dependent shoreline facilities within the historic waterfowl concentration area;
 - e. A note referencing the presence of the State-rare Salt-marsh Bulrush within fringe marsh habitat onsite, that no impacts are proposed to this habitat, and that, should future impacts be proposed to this sensitive area, a revised Environmental Assessment will be required to be submitted for review and approval;
 - f. A note stating that, per COMAR 27.01.09.01 and §196.3 of the Cecil County Code, the 200-foot and expanded Buffer shall be fully forested in three-tier vegetation in accordance with the approved Buffer Management Plan for this site.
 - g. An additional note which states that no disturbance is proposed to FIDS habitat. In addition, the applicant should also include another sentence in Note #16 that states that, should future disturbance be proposed within FIDS habitat, mitigation will be required in accordance with the Commission's *A Guide to the Conservation of Forest Interior Dwelling Birds in the Chesapeake*, and a revised EA will be required to be submitted for review and approval.
2. The applicant must revise the Buffer disturbance prohibition note to include the 200-foot Buffer, not the 110-foot Buffer.
 3. The applicant shows the presence of an intermittent stream on the property. However, it is unclear as to whether the stream was delineated in the field or taken from existing quadrangle maps. The 2008 changes to the Critical Area law amended the definition of a tributary stream to mean a "perennial or an intermittent stream within the Critical Area that has been identified by site inspection or in accordance with local program procedures approved by the Commission." Unless and until the County amends its Critical Area Program to include other provisions for identifying streams, and these procedures are approved by the Commission, site inspection is the only methodology provided under the law for the identification of streams. Therefore, the applicant must field delineate all streams.
 4. The applicant must expand the Buffer for steep slopes according to the Cecil County Zoning Ordinance §196.2.b. and COMAR 27.01.09.01C(7), which states that "...In the case of contiguous slopes 15 percent or greater, the Buffer shall be expanded four feet for every one percent of slope, or the top of the slope, **whichever is greater in extent.**" In order to verify its accuracy, please have the applicant provide samples of the methodology used on this site to calculate the expanded Buffer. This should include transects and the calculation for expansion.

5. The previously reviewed EA document provided with the plat states that the Buffer was expanded for hydric and/or highly erodible soils. However, in reviewing the plat, it is unclear as to where these expansions are located. Similar to how Buffer expansion for steep slopes was shown on the plat, please have the applicant providing shading that shows the location of Buffer expansion for hydric or highly erodible soils.
6. Highly erodible soils are defined as soils with a slope greater than 15% or those soils with a K-value greater than 0.35 and with slopes greater than 5%. The plan provided only delineates soils with slopes greater than 25% or slopes greater than 15% with a K-value greater than 0.35. Please have the applicant revise the plat to show areas with slopes greater than 5% and with a K-value of 0.35 or greater.

Based on the comments listed above, the conceptual plat, as proposed, is not consistent with the County's Critical Area Program, per the County's Subdivision regulations (§4.0.6(h)). Therefore, we recommend that this conceptual plat be denied. We note that the Critical Area regulations within the Cecil County Zoning Code supersede any inconsistent law, section, plan or program of the County.

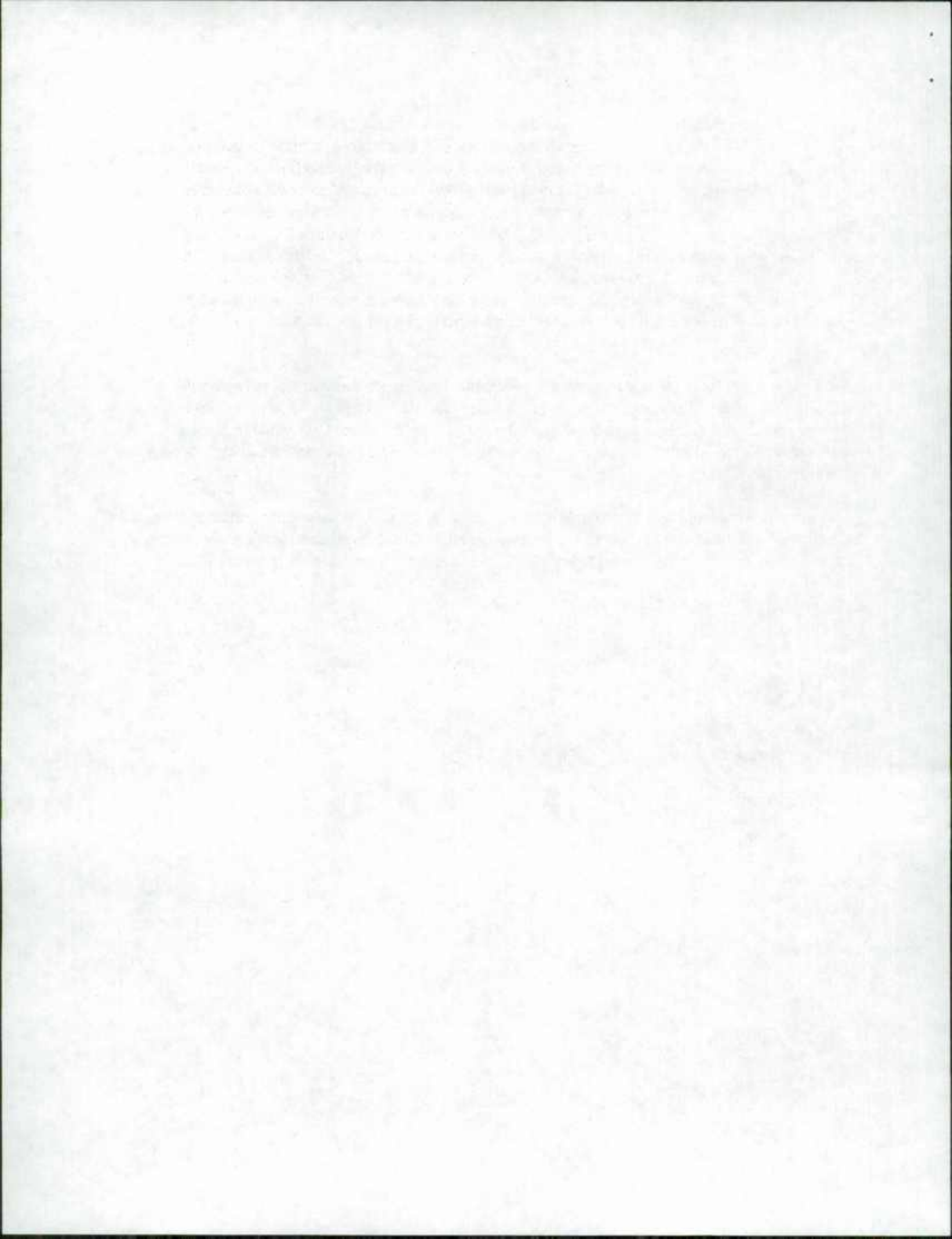
Thank you for the opportunity to provide comments on this subdivision request. Please have the applicant submit a revised copy of the concept plat that addresses all comments, along with a copy of the revised EA and report, to this office. If you have any questions, please contact me at (410) 260-3483.

Sincerely,



Nick Kelly
Natural Resource Planner

cc: CE 304-08
Michael A. Scott, Michael A. Scott, Inc.
Bradley Gochner, Vortex Environmental, Inc.
J.R. Harrison, LLC



Martin O'Malley
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April 5, 2010

Mr. Anthony DiGiacomo, AICP
Cecil County Government
Office of Planning and Zoning
County Administration Building
200 Chesapeake Boulevard, Suite 2300
Elkton, MD 21921

Re: **Smith Creek Subdivision, Lots 1-3**
Environmental Assessment (TM 58, P 2)

Dear Mr. DiGiacomo:

Thank you for forwarding the Environmental Assessment (EA) for the above-referenced project. The applicant proposes to create a 3-lot subdivision, in which a portion of the property is located within the Critical Area and is designated as a Resource Conservation Area (RCA).

First, Commission staff would like to note that, since this concept plat was submitted after July 1, 2008, and since the subdivision is proposed within a Resource Conservation Area, the minimum Buffer shall be 200 feet from tidal waters or a tidal wetland (Natural Resources Code §8-1808.10). The proposed subdivision only provides a 110-foot Buffer. The applicant must provide a revised site plan that provides a minimum 200-foot Buffer that is expanded for hydric soils, highly erodible soils, or steep slopes, if necessary.

Second, Commission staff would like to notify both the County and the applicant that regulations concerning the 100-foot, 200-foot, and expanded Buffer are now effective (COMAR 27.01.09.01). Since this project is covered by the new State regulations, the project must meet the requirements found in COMAR in order to be approved by the County. While it appears that most of the Buffer is currently established onsite, there may be portions of the 200-foot and expanded Buffer that are currently not established in three-tier vegetation. These areas must be planted in accordance with the aforementioned regulations. Please note that, within the Buffer regulations, there are no grandfathering provisions for projects in-progress.

The County may in the future adopt alternative procedures and requirements for the protection and establishment of the Buffer if:

- The alternative procedures and requirements are at least as effective as the regulations found in COMAR 27.01.09.01- COMAR 27.01.09.01-7 and any additional requirements of the County program; and
- The Critical Area Commission has approved those alternative procedures and requirements as an amendment to the County's Critical Area Program

However, until such measures are approved, the County must utilize the requirements found in the State regulations, and the applicant must submit a Buffer Management Plan/revised Environmental Assessment in accordance with these regulations. We recommend that the applicant be proactive in applying the planting standards required within the Buffer in order to expedite the final approval process for this project.

Finally, the following comments are based on review of the EA. We note that the applicant must also address all comments found in our November 2, 2009 letter regarding the subdivision plat.

1. Please provide the following information on the EA plat:

- ✓ a. The amount of Critical Area acreage associated with **each** lot on the site plan;
- no private? b. The amount of State tidal wetlands and the amount of private tidal wetlands. The applicant currently notes only the amount of private tidal wetlands. The amount of State and private total wetlands should also be broken down by **each** lot as well. Please note, State tidal wetlands cannot be included within the boundaries of any privately owned lot or parcel per Annotated Code of Maryland – State Finance & Procurement Article §10-301, which establishes inland waters of the State & land under those waters as State real property. Further, areas of State tidal wetlands cannot be used for density calculations or to meet the performance standards for development within the Critical Area;
- c. Total existing lot coverage for each Critical Area lot (and the entire Critical Area portion of the site);
- d. Total proposed lot coverage for each Critical lot (and the entire Critical Area portion of the site);
- e. Overall lot coverage limit for the entire Critical Area portion of site;
- f. A note referencing the time-of-year restrictions for any construction of water-dependent shoreline facilities within the historic waterfowl concentration area;
- g. A note referencing the presence of the State-rare Salt-marsh Bulrush within fringe marsh habitat onsite, that no impacts are proposed to this habitat, and that, should future impacts be proposed to this sensitive area, a revised plat and Environmental Assessment will be required to be submitted for review and approval;
- h. A note stating that disturbance is not permitted within the 200-foot and expanded Buffer per §196 of the Cecil County zoning Ordinance;
- i. A note stating that, per COMAR 27.01.09.01 and §196.3 of the Cecil County Code, the 200-foot and expanded Buffer shall be fully forested in three-tier vegetation.
- ✓ j. An additional statement to Note #16 which states that no disturbance is proposed to FIDS habitat. In addition, the applicant should also include another sentence in

Note #16 that states that, should future disturbance be proposed within FIDS habitat, mitigation will be required in accordance with the Commission's *A Guide to the Conservation of Forest Interior Dwelling Birds in the Chesapeake*, and that a revised plat and EA will be required to be submitted for review and approval.

2. Please have the applicant more clearly delineate the tidal wetlands on the site plan to ensure that the 200-foot Buffer is properly delineated. The 200-foot Buffer must be delineated in the field instead of using existing tidal wetland maps. If a wetland delineation has not yet been performed, we recommend that it be completed prior to final approval of this plan in conjunction with the Maryland Department of the Environment (MDE).
3. The applicant shows the presence of an intermittent stream on the property. However, it is unclear as to whether the stream was delineated in the field or taken from existing quadrangle maps. The 2008 changes to the Critical Area law amended the definition of a tributary stream to mean a "perennial or an intermittent stream within the Critical Area that has been identified by site inspection or in accordance with local program procedures approved by the Commission." Unless and until the County amends its Critical Area Program to include other provisions for identifying streams, and these procedures are approved by the Commission, site inspection is the only methodology provided under the law for the identification of streams. Therefore, the applicant must field delineate all streams.
4. The applicant must extend the Buffer for steep slopes according to the Cecil County Zoning Ordinance §196.2.b. and COMAR 27.01.09.01C(7), which states that "...In the case of contiguous slopes 15 percent or greater, the Buffer shall be expanded four feet for every one percent of slope, or the top of the slope, whichever is greater in extent." In order to verify its accuracy, please have the applicant provide samples of the methodology used on this site to calculate the expanded Buffer. This should include transects and the calculation for expansion.
5. The EA document provided with the plat states that the Buffer was expanded for hydric and/or highly erodible soils. However, in reviewing the plat, it is unclear as to where these expansions are located. Similar to how Buffer expansion for steep slopes was shown on the plat, please have the applicant providing shading that shows the location of Buffer expansion for hydric or highly erodible soils.
6. Highly erodible soils are defined as soils with a slope greater than 15% or those soils with a K-value greater than 0.35 and with slopes greater than 5%. The plan provided only delineates soils with slopes greater than 25% or slopes greater than 15% with a K-value greater than 0.35. Please have the applicant revise the plat to show areas with slopes greater than 5% and with a K-value of 0.35 or greater.

Based on our above comments, the submitted Environmental Assessment does not meet the requirements of the Cecil County Code (§200.1-2 and §201) to identify all environmental or natural features on the property, and to provide information on the protections afforded these features. As such, this EA cannot be approved by the County until all of our comments are addressed. Please have the applicant make the above revisions and submit a revised EA to this office for review and comment.

Smith Creek Subdivision Environmental Assessment

April 5, 2010

Page 4

Thank you for the opportunity to provide comments on this subdivision request. If you have any questions, please contact me at (410) 260-3483.

Sincerely,

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

Nick Kelly
Natural Resource Planner

cc: CE 304-08
Michael A. Scott, Michael A. Scott, Inc.
Bradley Gochnauer, Vortex Environmental, Inc.

Martin O'Malley
Governor

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October 1, 2009

Eric Shertz
Cecil County Department of Planning and Zoning
County Administration Building
200 Chesapeake Boulevard, Suite 2300
Elkton, MD 21921

Re: **Smith Creek Final Subdivision, Lots 1-5
TM 58, P 2
Final Plat Approval**

Dear Mr. Shertz:

Thank you for forwarding the above-referenced final subdivision plat to this office. The applicant is proposing to create a seven-lot subdivision and is asking for final plat approval of Lots 1-5 at this time. Only Lot 5 is partially located within the Critical Area and is designated as a Resource Conservation Area (RCA).

Based on the information provided, we oppose the approval of this final subdivision plat as proposed. While this office has no comments on Lots 1-4, which are located completely outside of the Critical Area, we do have concerns that this final subdivision plat includes Lot 5, which is located within the RCA. Specifically, Lot 5 should not be included in this final plat request, as there are significant concerns whether the lot as proposed meets Critical Area development standards. Critical Area issues include the delineation of the 200-foot Buffer, the field extent of wetlands, protections for Forest Interior Dwelling Bird habitat, lot coverage limits, and other issues. Therefore, we recommend that the applicant revise and resubmit the final plat to include only lots that are located entirely outside of the Critical Area (Lots 1-4).

All comments regarding Lot 5 will be included in a subsequent letter that reviews the preliminary plat for Lots 5-7 of this subdivision.

Thank you for the opportunity to provide comments on this subdivision request. Please include this letter in your file and submit it as part of the record for this subdivision

request. Also, please notify the Commission in writing of the decision made in this case.
If you have any questions, please contact me at (410) 260-3483.

Sincerely,



Nick Kelly

Natural Resource Planner

cc: CE 304-08

Tony DiGiacomo, Cecil County Planning and Zoning

Michael A. Scott, Michael A. Scott, Inc.

Martin O'Malley
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October 1, 2009

Eric Shertz
Cecil County Department of Planning and Zoning
County Administration Building
200 Chesapeake Boulevard, Suite 2300
Elkton, MD 21921

Re: **Smith Creek Subdivision, Lots 5-7
TM 58, P 2
Preliminary Plat Approval**

Dear Mr. Shertz:

Thank you for forwarding the above-referenced project. The applicant proposes to create a 7-lot subdivision in which three lots of which will be located in the Resource Conservation Area (RCA). Lot 5 is proposed to be 53.984 acres; Lot 6 is proposed to be 38.006 acres; and Lot 7 is proposed to be 41.801 acres.

As stated in the Cecil County Zoning Ordinance, Article XI, §191, the Critical Area District was created to implement zoning regulations and measures that will protect and enhance water quality and habitat resources. In addition, the intent of the Critical Area District is to provide protection for the natural resources located in the Critical Area and to foster more sensitive development activity in shoreline areas that minimizes adverse impacts to water quality and natural habitats. To ensure this is accomplished, the County has stated that no development activity shall be permitted until the approving authority makes specific findings that the proposed development or activity is consistent with the goals and objectives of the Cecil County Critical Area Program.

Considering these regulations, Commission staff has concerns on whether the plat, as shown, is consistent with the spirit and intent of the Critical Area Program. In particular, the plat does not refer to the site's Environmental Assessment (EA), which provides clear information on how the proposed development addresses the Critical Area's goals and objectives. The EA is of considerable importance based upon the location of FIDS habitat and sensitive species within the Critical Area. We request that a revised copy of the EA be submitted to this office for review and

TTY for the Deaf

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comment. In addition, we recommend that the plat provide references to restrictions for FIDS habitat and sensitive species to demonstrate compliance with the County's Critical Area Program and regulations found in §191 of the Cecil County Code. We note that the Critical Area regulations within the Cecil County Zoning Code supersede any inconsistent law, section, plan or program of the County (§191).

Additionally, it appears that several of the comments provided in my December 3, 2008 letter have not been addressed. These comments are repeated below, along with additional comments on the proposed subdivision plan:

1. Please clarify the following information on the subdivision plat and EA:

- NO a. The amount of Critical Area acreage associated with each lot on the site plan.
- NO b. The amount of State tidal wetlands and the amount of private tidal wetlands. Please note, State tidal wetlands cannot be included within the boundaries of any privately owned lot or parcel per Annotated Code of Maryland – State Finance & Procurement Article §10-301, which establishes inland waters of the State & land under those waters as State real property. Further, areas of State tidal wetlands cannot be used for density calculations or to meet the performance standards for development within the Critical Area.
- c. A clearer delineation of the Critical Area line. It is difficult to determine the extent of the line on Lots 6 and 7.

2. It is our understanding that the applicant submitted an application for subdivision prior to July 1, 2008. Please note that Ch. 119, 2008 Laws of Maryland at 765 contains provisions in regards to a new 200-foot Buffer which may be applicable to this subdivision. Under these provisions, a subdivision located in the RCA must provide a new 200-foot Buffer *unless* an application for subdivision was submitted before July 1, 2008 *and* is legally recorded by July 1, 2010. Should the applicant fail to have the subdivision plat recorded by the July 1, 2010 deadline, then a 200-foot Buffer will apply to this project. Please ensure that the applicant is aware of this requirement, as stated in Chapter 119 of the 2008 Laws of Maryland.

NO 3. As of July 1, 2008, a subdivision is limited to 15% total lot coverage, as stated in Section 8, Ch. 119, 2008 Laws of Maryland at 765. Lot Coverage includes the area of the lot that is occupied by a structure, accessory structure, parking area, driveway, walkway, or roadway; or covered with gravel, stone, shell, impermeable decking, a paver, permeable pavement, or any manmade material. Lot coverage does not include a fence or wall that is less than one foot in width that has not been constructed with a footer, a walkway in the Buffer or expanded Buffer (including a stairway), that provides direct access to a community or private pier, a wood mulch pathway, or a deck with gaps to allow water to pass freely. Please have the applicant provide a lot coverage table providing the total existing lot coverage for each lot (and the entire site), the total proposed lot coverage for each lot (and the entire site), and the overall lot coverage limit for the entire site.

4. GIS data reveals that the property is located in a potential area where a species of concern is located. The applicant must receive a letter from the Department of Natural Resources Wildlife and Heritage Division (WHS) evaluating the property for any rare, threatened, or endangered species location onsite. A site-specific survey of the RCA should be done to determine whether these species occur near the proposed development. If species are found, the applicant will be required to prepare a revised EA that includes habitat protection provisions per §197.12b(1) and §200.2. A copy of the revised EA and a letter from WHS should be submitted to this office for review and comment.
5. GIS maps reveal that potential FIDS Habitat is located onsite. As stated in the Cecil County Zoning Ordinance §197.12.b(3), the applicant is required to utilize the guidance found in the Commission's *A Guide to the Conservation of Forest Interior Dwelling Birds in the Chesapeake* if the Department of Natural Resources Wildlife and Heritage Service notes the potential of FIDS in their review. Besides providing measures to protect FIDS habitat, this guidance also includes mitigation measures for any disturbance to FIDS habitat that is unavoidable. The Environmental Assessment Report should contain a copy of the FIDS Conservation Worksheet (Appendix D of *A Guide...*), completed by the applicant, and include required mitigation.
6. A note must be added to the EA and the subdivision plat regarding the presence of FIDS habitat, the amount of FIDS habitat impacted, the amount of FIDS mitigation required, and measures to protect this area. If mitigation is required, we recommend the County require a bond or other financial surety to ensure the necessary mitigation is provided prior to transfer of the lots.
7. The property is located adjacent to a historic waterfowl concentration area. Therefore, any construction of water-dependent shoreline facilities will be subject to time-of-year restrictions. We recommend that the applicant contact WHS for more guidance on this issue. A note should be added to the final plat and EA referencing this restriction.
8. The final plat and EA must note the amount of forest coverage located onsite. The applicant must provide at least 15% percent afforestation within the Critical Area. In addition, mitigation for any future forest clearing onsite shall be provided at a 1:1 ratio, provided it is less than 20% clearing and meets the site design guidelines within the Critical Area FIDS Guidance Manual. A note should also be added to the EA and final plat referencing this requirement. In addition, the applicant should provide the amount of existing forest coverage and the proposed amount of forest clearing associated with this project.
9. The applicant must extend the Buffer for steep slopes according to the Cecil County Zoning Ordinance §196.2.b. and COMAR 27.01.09.01C(7), which states that "...In the case of contiguous slopes 15 percent or greater, the Buffer shall be expanded four feet for every one percent of slope, or the top of the slope, whichever is greater in extent." In addition, the 110-foot Buffer must be expanded for any hydric or highly erodible soils located contiguous to the Buffer. In order to verify its accuracy, please have the applicant

provide samples of the methodology used on this site to calculate the expanded Buffer. We recommend that the Buffer be expanded for hydric or highly erodible soils in the, to the lesser of the landward edge of the soils, or three hundred feet, including the minimum 110-foot Buffer.

10. Highly erodible soils are defined as soils with a slope greater than 15% or those soils with a K-value greater than 0.35 and with slopes greater than 5%. The plan provided only delineated soils with slopes greater than 25% or slopes greater than 15% with a K-value greater than 0.35. Please have the applicant revise the plat to show areas with slopes greater than 5% and with a K-value of 0.35 or greater. .
11. Per COMAR 27.01.09.01 and §196.3 of the Cecil County Code, the 110-foot and Expanded Buffer shall be fully forested in three-tier vegetation. Please include a note on the final plat and Environmental Assessment referencing this requirement and describing how establishment will be met.
12. No disturbance is permitted within the 110-foot and expanded Buffer per §196 of the Cecil County zoning Ordinance. Please include a note on the final plat and EA referencing this requirement.
13. Please have the applicant more clearly delineate the tidal wetlands on the site plan to ensure that the 110-foot Buffer is properly delineated. The 110-foot Buffer must be delineated in the field versus using existing tidal wetland maps.
14. The applicant has also provided a Forest Retention Area plan, in the amount of 82.56 acres, based upon the Environmental Assessment for the proposed development. The plat indicates that disturbance of any kind is strictly prohibited.
15. Please have the applicant submit a revised copy of the revised preliminary plat, along with a copy of the EA and Report, to this office for review and comment.

Thank you for the opportunity to provide comments on this subdivision request. If you have any questions, please contact me at (410) 260-3483.

Sincerely,



Nick Kelly

Natural Resource Planner

cc: CE 304-08

Michael A. Scott, Michael A. Scott, Inc.

Tony DiGiacomo, Cecil County Planning and Zoning

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December 3, 2008

Eric Shertz
Cecil County Department of Planning and Zoning
County Administration Building
200 Chesapeake Boulevard, Suite 2300
Elkton, MD 21921

Re: **Smith Creek Subdivision**
TM 58, P 2

Dear Mr. Shertz:

Thank you for forwarding the above-referenced project. The applicant proposes to create a subdivision, three lots of which will be located in the Resource Conservation Area (RCA). Lot 5 is proposed to be 53.984 acres; Lot 6 is proposed to be 38.006 acres; and Lot 13 is proposed to be 41.801 acres.

As stated in the Cecil County Zoning Ordinance, Article XI, §191, the Critical Area District was created to implement zoning regulations and measures that will protect and enhance water quality and habitat resources. In addition, the intent of the Critical Area District is to provide protection for the natural resources located in the Critical Area and to foster more sensitive development activity in shoreline areas that minimizes adverse impacts to water quality and natural habitats. To ensure this is accomplished, the County has stated that no development activity shall be permitted until the approving authority makes specific findings that the proposed development or activity is consistent with the goals and objectives of the Cecil County Critical Area Program.

Considering these regulations, Commission staff has concerns on whether the plat, as shown, is consistent with the spirit and intent of the Critical Area Program. In particular, the plat does not refer to the site's Environmental Assessment (EA), which provides clear information on how the proposed development addresses the Critical Area's goals and objectives. The EA is of considerable importance based upon the location of FIDS habitat and sensitive species within the Critical Area. We request that a revised copy of the EA be submitted to this office for review and comment prior to final plat approval. In addition, we recommend that the final plat should



provide references to restrictions for FIDS habitat and sensitive species to demonstrate compliance with the County's Critical Area Program and regulations found in §191 of the Cecil County Code. We note that the Critical Area regulations within the Cecil County Zoning Code supersede any inconsistent law, section, plan or program of the County (§191).

Additionally, it appears that several of the comments provided by Julie Roberts on June 2, 2008 have not been addressed. These comments are repeated below, along with additional comments on the proposed subdivision plan:

1. Please clarify the following information on the subdivision plat and EA:
 - a. The amount of Critical Area acreage associated with each lot on the site plan.
 - b. The amount of State tidal wetlands and the amount of private tidal wetlands. Please note, State tidal wetlands cannot be included within the boundaries of any privately owned lot or parcel per Annotated Code of Maryland – State Finance & Procurement Article §10-301, which establishes inland waters of the State & land under those waters as State real property. Further, areas of State tidal wetlands cannot be used for density calculations or to meet the performance standards for development within the Critical Area.
 - c. Draw onto CA line, unless
2. It is our understanding that the applicant submitted an application for subdivision prior to July 1, 2008. Please note that Ch. 119, 2008 Laws of Maryland at 765 contains provisions in regards to a new 200-foot Buffer which may be applicable to this subdivision. Under these provisions, a subdivision located in the RCA must provide a new 200-foot Buffer unless an application for subdivision was submitted before July 1, 2008 and is legally recorded by July 1, 2010. Should the applicant fail to have the subdivision plat recorded by the July 1, 2010 deadline, then a 200-foot Buffer will apply to this project. Please ensure that the applicant is aware of this requirement, as stated in Chapter 119 of the 2008 Laws of Maryland.
3. As of July 1, 2008, a subdivision is limited to 15% total lot coverage, as stated in Section 8, Ch. 119, 2008 Laws of Maryland at 765. Lot Coverage includes the area of the lot that is occupied by a structure, accessory structure, parking area, driveway, walkway, or roadway; or covered with gravel, stone, shell, impermeable decking, a paver, permeable pavement, or any manmade material. Lot coverage does not include a fence or wall that is less than one foot in width that has not been constructed with a footer, a walkway in the Buffer or expanded Buffer (including a stairway), that provides direct access to a community or private pier, a wood mulch pathway, or a deck with gaps to allow water to pass freely. Pls provide total of existing lot usage for each lot, incl existing proposed, + overall limit
4. GIS data reveals that the property is located in a potential area where a species of concern is located. The applicant must receive a letter from the Department of Natural Resources Wildlife and Heritage Division (WHS) evaluating the property for any rare, threatened, or endangered species location onsite. A site-specific survey of the RCA should be done to determine whether these species occur near the proposed development. If species are found, the applicant will be required to prepare a revised EA that includes habitat

protection provisions per §197.12b(1) and §200.2. A copy of the revised EA should be submitted to this office for review and comment.

5. GIS maps reveal that potential FIDS Habitat is located onsite. As stated in the Cecil County Zoning Ordinance §197.12.b(3), the applicant is required to utilize the guidance found in the Commission's *A Guide to the Conservation of Forest Interior Dwelling Birds in the Chesapeake* if the Department of Natural Resources Wildlife and Heritage Service notes the potential of FIDS in their review. Besides providing measures to protect FIDS habitat, this guidance also includes mitigation measures for any disturbance to FIDS habitat that is unavoidable. The Environmental Assessment Report should contain a copy of the FIDS Conservation Worksheet (Appendix D of *A Guide...*), completed by the applicant, and include required mitigation.
6. A note must be added to the EA and the subdivision plat regarding the presence of FIDS habitat, the amount of FIDS habitat impacted, the amount of FIDS mitigation required, and measures to protect this area. If mitigation is required, we recommend the County require a bond or other financial surety to ensure the necessary mitigation is provided prior to transfer of the lots.
7. The property is located adjacent to a historic waterfowl concentration area. Therefore, any construction of water-dependent shoreline facilities will be subject to time-of-year restrictions. We recommend that the applicant contact WHS for more guidance on this issue. A note should be added to the final plat and EA referencing this restriction.
8. The final plat and EA must note the amount of forest coverage located onsite. The applicant must provide at least 15% percent afforestation within the Critical Area. In addition, mitigation for any future forest clearing onsite shall be provided at a 1:1 ratio, provided it is less than 20% clearing and meets the site design guidelines within the Critical Area FIDS Guidance Manual. A note should also be added to the EA and final plat referencing this requirement. *Plan provided Existing Forest + proposed clearing*
9. Applicants must extend the Buffer for steep slopes according to the Cecil County Zoning Ordinance §196.2.b. and COMAR 27.01.09.01C(7), which states that "...In the case of contiguous slopes 15 percent or greater, the Buffer shall be expanded four feet for every one percent of slope, or the top of the slope, whichever is greater in extent." In addition, the 110-foot Buffer must be expanded for any hydric or highly erodible soils located contiguous to the Buffer. In order to verify its accuracy, please have the applicant provide samples of the methodology used on this site to calculate the expanded Buffer. *Copy of Buffer reqs for review*
10. Highly erodible soils are defined as soils with a slope greater than 15% or those soils with a K-value greater than 0.35 and with slopes greater than 5%. The plan provided only delineated soils with slopes greater than 25% or slopes greater than 15% with a K-value greater than 0.35. Please have the applicant revise Note #7 to accurately reflect this definition. *the legend*

*shall
must*

7

11. Per COMAR 27.01.09.01 and §196.3 of the Cecil County Code, the 110-foot and Expanded Buffer will be fully forested in three-tier vegetation. Please include a note on the final plat and Environmental Assessment referencing this requirement and describing how establishment will be met.

need

12. No disturbance is permitted within the 110-foot and expanded Buffer per §196 of the Cecil County zoning Ordinance. Please include a note on the final plat and EA referencing this requirement.

could point location of develop on all 3 lots

need

13. Please have the applicant more clearly delineate the tidal wetlands on the site plan to ensure that the 110-foot Buffer is properly delineated. The 110-foot Buffer must be delineated in the field versus using existing tidal wetland maps.

need

14. The applicant has also provided a Forest Retention Area plan, in the amount of 82.56 acres, based upon the Environmental Assessment for the proposed development. The plat indicates that disturbance of any kind is strictly prohibited.

need

15. Please have the applicant submit a revised copy of the revised preliminary plat, along with a copy of the EA and Report, to this office for review and comment.

Thank you for the opportunity to provide comments on this subdivision request. If you have any questions, please contact me at (410) 260-3483.

Sincerely,



Nick Kelly
Natural Resource Planner
cc: CE 304-08

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/

June 2, 2008

Mr. Tony DiGiacomo
Cecil County Department of Planning and Zoning
129 East Main Street
Elkton, MD 21921

Re: Subdivision – Smith Creek

Dear Mr. DiGiacomo:

Thank you for forwarding the above-referenced project. The applicant proposes to create a subdivision, three lots of which will be located in the Resource Conservation Area. Lot 11 is proposed to be 45.01 acres (34.388 of which is located in the Critical Area); Lot 12 is proposed to be 38.350 acres (36.189 of which is located in the Critical Area); and Lot 13 is proposed to be 47.314 acres (33.774 of which are located in the Critical Area). Based on the information submitted, I have the following comments:

1. The applicant must provide a letter from the Department of Natural Resources Wildlife and Heritage Program indicating the presence of any rare, threatened, or endangered species known to occur on or near this project area. Our records indicate that there is potential Forest Interior Dwelling (FIDs) bird habitat, as well as (a) state listed species, located on site.
 - a. Should the letter indicate the presence of any such species, a note must be placed on the plat indicating this information.
 - b. If the site contains FIDs habitat, then the applicant must demonstrate that they can meet the Critical Area Commission 2002 FIDs Guidelines document.
 - c. Please note, the County may not currently approve subdivisions with Habitat Protection Areas (HPAs) until the County resolves the sanction from October, 2007.
2. It appears clearing is proposed on Lot 13 for the Sewage Reserve Area. If the site is determined to contain FIDs, then the Site Design Guidelines must be followed. Any proposed clearing must be mitigated and shown on a Habitat Protection Plan (HPP) to accompany this plat. The (HPP) should include a planting schedule and protective measures for the mitigation. Additionally, the applicant should revise the tables on the plan sheets to show any clearing, as the tables currently indicate that no clearing is proposed.

TTY for the Deaf

Annapolis: (410) 974-2609 D.C. Metro: (301) 586-0450



Mr. Johnson

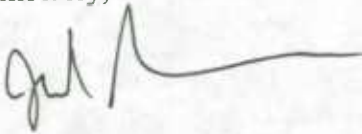
6/2/2008

Page 2 of 2

3. If this site is FIDs habitat, this office recommends the applicant restrict all the forest being cleared beyond that which may be required for this plat and shown on the HPP.
4. The applicant has also provided a Forest Retention Area plan, in the amount of 37.0 acres, based upon the stormwater management requirement for the proposed development. The plat indicates that disturbance of any kind is strictly prohibited.
5. The total proposed impervious surface area for this site is 3.99 acres, which is within the limits for an area of this size. Please have the applicant add a table on the plat indicating the total impervious surface for Lot 11, 12 and 13, including any area associated with driveways.
6. There are steep slopes, as well as tidal and nontidal wetlands located on site, for which the 100-foot Buffer has been expanded. Please have the applicant add a plat note stating that the Buffer may not be disturbed per Section 197 of the Cecil Zoning Code.

Please forward me a revised preliminary plat as it becomes available. I can be contacted at 410-260-3476 should you have any questions.

Sincerely,



Julie Roberts
Natural Resources Planner

Cc: CE 302-08
304

P.12

10/7/09

CECIL COUNTY TECHNICAL ADVISORY COMMITTEE
Wednesday October 7, 2009, 9:00 a.m.
County Administration Building
200 Chesapeake Blvd., Elkton, Maryland

Present: Di Giacomo, Tony (CCP&Z), Woodhull, Mark (CCDPW), Harmon, Lloyd (DEH), Brown, Chris (CCSCS), West, Janel (CCPS), Bakeoven, Jennifer (CCP&Z).

Absent: Cwiek, Philip (USCoE), Ouano, Jun (Delmarva Power), West, Janel (CCPS), Meaders, David (FA), Davis, Gary (SHA), Graham, Daniel (Citizen's Rep.) and Latham, Cindy (MDE),

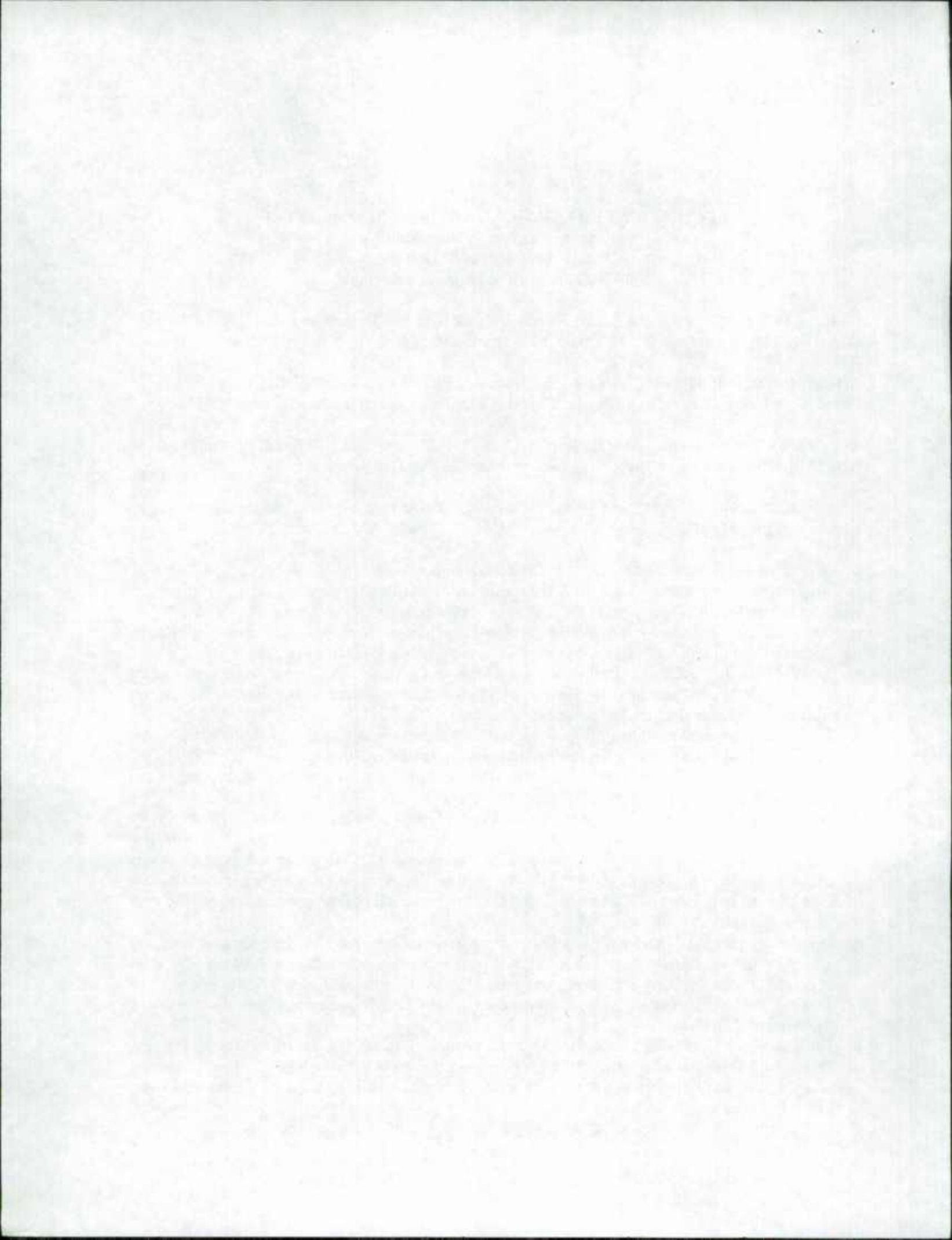
1. Lands of Jeffrey H. and Judith L. Rummel, Lots 1-5 & 19, Spears Hill Road, Preliminary Plat, Will Whiteman Land Surveying, Inc., Second Election District.

Will Whiteman, Surveyor and Ron Carpenter, Carpenter Engineering, appeared and presented an overview of the project.

Mr. Woodhull, DPW, read the comments of the department:

In conformance with Section 4.1.22 (m) & (p) preliminary plat submittals must identify pavement width and slope for the proposed road and also show proposed storm water conveyance. The plat presented here does not contain this level of detail and the Department cannot recommend approval to the Planning Commission. We will however provide you with the following comments:

1. A SWM plan, Road & Storm Drain plan, and a Mass and Final Grading plan must be approved by the CCDPW prior to submittal for Final Plat Approval. The fees for design review of this project must be provided at the time of first design submittals.
2. The SWM plan must include a downstream analysis addressing the impact of storm water runoff on the cross culvert conveying the perennial stream under Spears Hill Road.
3. Adequate sight distance measurements are obtainable therefore the Department has approved the proposed Spears Hill Road access location.
4. The protocol 3 road condition survey & road improvements plan for the entire length of Spears Hill Road has been submitted and reviewed. We concur with the findings presented. The Department's August 7, 2008 letter has identified the extent of the Applicant's responsibilities as road side drainage improvements along the development's Spears Hill Road frontage and the mill & overlay of both lanes of Spears Hill Road for 100' either side of the point of intersection with the proposed access road.
5. Preliminary plat submittals must identify pavement width and slope for the proposed road and also show proposed stormwater conveyance. The plat presented here does not contain this level of detail. The preliminary plat presented to the Planning Commission must identify this level of detail or the Department will not recommend approval. See the preliminary plat for Lots 6-18 approved on 11/17/08.
6. The Department previously requested that the applicant amend the TIS for Brickhouse Farm Estates to address the additional traffic loading generated by this development. However due to the relatively small number of lots (19) we no longer see a benefit to revisit the Brickhouse Farm TIS at this time and withdraw our request.



A Landscape Agreement if any must be executed prior to recordation.

Deed restrictions for the long-term protection of the Forest Retention/ Afforestation Areas (FRAs) must be recorded and noted on the plat prior to recordation, with the metes and bounds description of the FRA being shown on the Final and Record Plats.

A MALPF easement exists on this property. On 11/25/08, the MALPF Board of Trustees granted an exclusion for an owner's lot, with the agreement that "it would not be subdivided from the surrounding land."

For subdivisions proposed on property contiguous to operating farms, notice shall be provided on the plat that an agricultural operation is being conducted on a contiguous property and said agricultural operation is protected from nuisance claims provided the conditions of Article I, § 4 are being complied with.

The applicant is reminded of the 4:30 p.m. submission deadline on the 3rd Thursday for review by the Planning Commission the following month.

School information:	Elementary	Middle	High School
	Ches. City	Bo Manor	Bo Manor
FTE	307	478	733
Capacity	353	601	643
% Utilization	87%	80%	114%

Discussion ensued regarding the 110' Critical Area buffer.

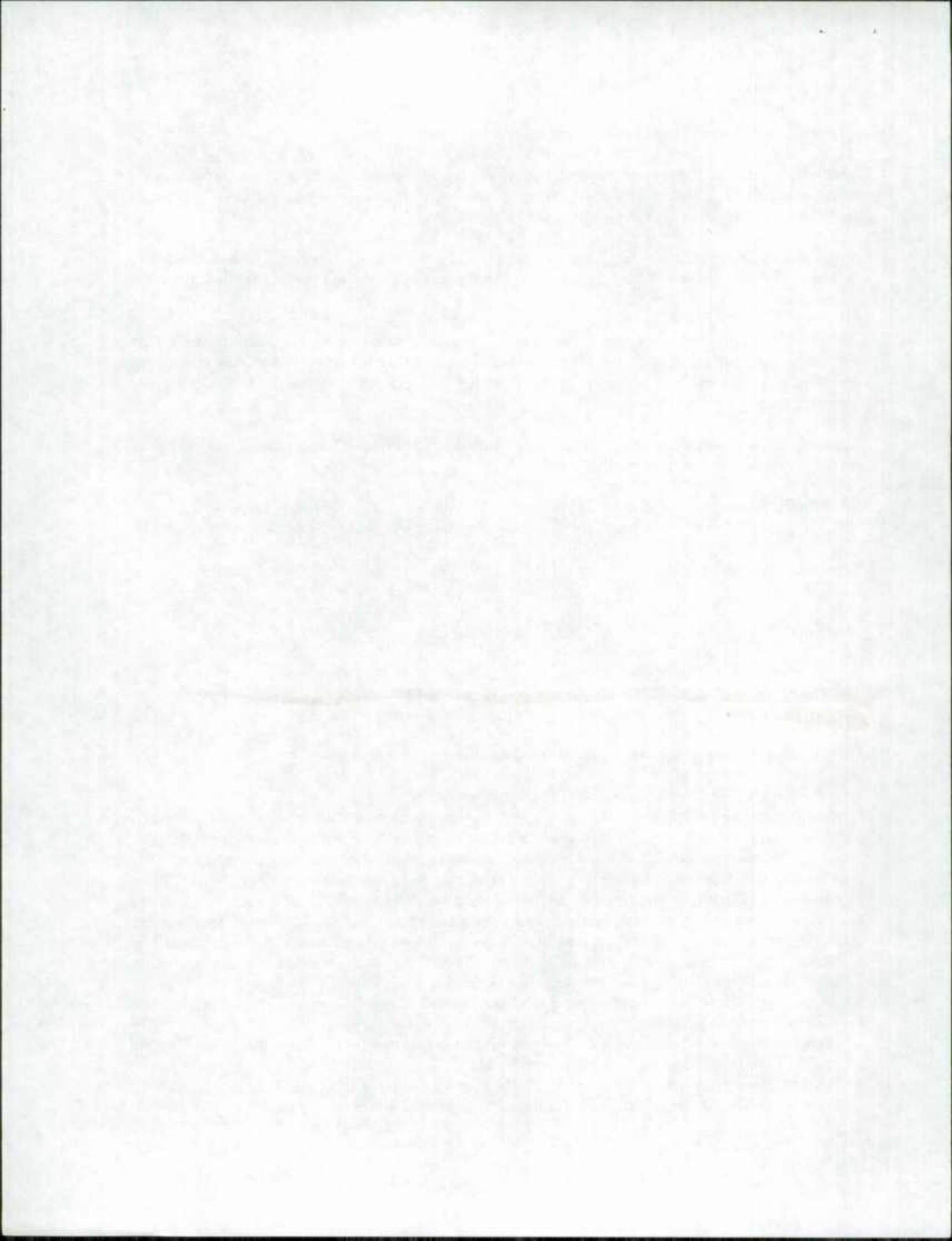
4. Smith Creek II, Lots 5, 6 & 7, Welders Lane, Preliminary Plat, Michael Scott, Inc., First Election District.

Michael Scott, Surveyor, appeared and presented an overview of the project.

Mr. Woodhull, DPW, read the comments of the department:

In conformance with Section 4.1.22 (m) & (p) preliminary plat submittals must identify pavement width and slope for the proposed road and also show proposed storm water conveyance. The plat presented here does not contain this level of detail and the Department cannot recommend approval to the Planning Commission. The preliminary plat presented and approved at the December 15, 2008 Planning Commission meeting contained all this information. Why is this plat different?

1. A SWM plan, Road & Storm Drain plan and a Mass and Final Grading plan must be approved by the CCDPW prior to submittal for Final Plat Approval. What is the status of the design plans? Mr. Scott said DMS is working on the design plans. We've had no response to our last comments when we sent the plans back as incomplete on November 19, 2008.
2. As the Department stated at the June 6, and December 3, 2008 TAC meetings and, preliminary plat submittals must identify pavement width and slope for the proposed road and also show proposed storm water conveyance. The plat presented here does not contain this level of detail and the Department does not recommend approval.
3. Has any consideration been given to how SWM quantity control will be addressed for this site? If a SWM pond or similar BMP is required it should be located in common open space. If it is on an



individual lot language for all affected lots must be included in the deeds addressing rights and responsibilities of all parties.

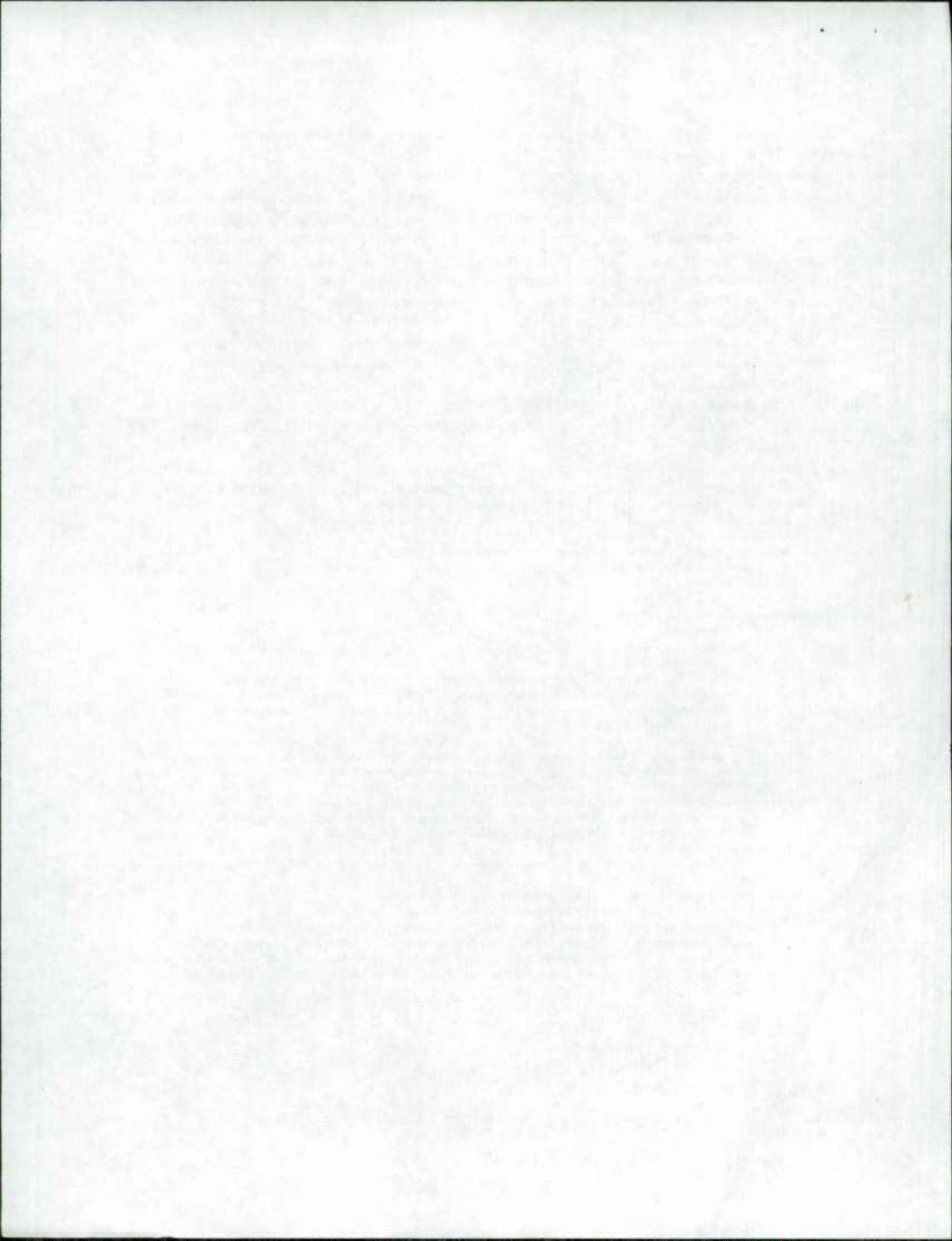
4. Where are the storm water drainage easements identified on the preliminary plat you presented and had approved at the December 15, 2008 Planning Commission meeting? That approved plat identified a storm water drainage easement on Lot 2 that provided for conveyance from the proposed cul-de-sac to the Lot 5 property line but not beyond. The easement must be continued across Lot 5 until it reaches an existing stream, swale or other defined conveyance. All storm water conveyance easements must be identified on the preliminary plat presented to the Planning Commission for review or the Department will not recommend approval.
5. If the storm water management plan involves the redirection of some or all the storm water runoff of the site or concentrates the release of storm water runoff in an offsite area that previously received non-concentrated flow permission (via easements or other property interests) where necessary must be obtained.
6. Why was the fee simple add-on proposed for Parcel 76, Lot 1 on the approved concept plat removed? How does this lot legally access the proposed road and what impact does this have on the proposed Lot 1?
7. The following standard notes and requirements apply to this plat and project: The details of these notes and requirements will be identified in the record but will not be read at this time:
 - 7.1 The Final Plat Lot Grading and the Lot Grading Plan Construction Limits Note.
 - 7.2 Compliance with Sections 251-9.A (5), 251-13, and 251-15.D. of the Cecil County Storm Water Management Ordinance.
 - 7.3 Requirements for Utility relocations.
 - 7.4 Requirements for Stormwater Inspection and Maintenance Agreements.
 - 7.5 Requirements for Public Works Agreement.
 - 7.6 Requirements for Driveways.

Notes and requirements identified for record:

1. The Final Plat must include the Lot Grading Plan standard note and the Lot Grading Plan must include the standard construction limits note.
 - a. *Final Plat: "A lot grading plan has been approved by the CCDPW for the construction shown hereon. A site construction as built shall be submitted to the CCDPW prior to use and/or occupancy of any of the sites shown hereon. Any change to the Forest Retention, Forestation, and/or Reforestation will require a consistency review, of the SWM approval, with CCDPW."*
 - b. *Grading Plan: "No clearing or grading is permitted beyond the limits of disturbance show hereon. Any expanded clearing and/or grading in the absence of an approved revised lot grading plan may be considered non-compliance with Chapter 251 of the Cecil County Code and either or both the developer and/or Builder may be subject to the enforcement of the penalty provisions therein."*
2. The downstream conveyance of storm water must be analyzed in accordance with Section 251-9 A. (5) of the county's SWM Ordinance. If stormwater discharge is directed off of the site on to adjacent property it is the responsibility of the Developer to obtain appropriate easements from the affected property owners per Sections 251-13 and 251-15.D of the Cecil County SWM Ordinance.
3. Where determined necessary by the utility companies, the owner, the designer, or DPW, utility poles must be relocated at the Developer's expense.
4. An Inspection & Maintenance Agreement is required for the private SWM facilities.
5. A Public Works Agreement is required for the road & storm drain work.
6. All driveways must be paved at least to the right of way. The driveway paving must be complete for all lots at the time when the surface course for the internal roads is installed. This requirement includes any vacant but platted lots. Any driveway exceeding 5% up-gradient-slope from the roadway must be paved to the crest. If the development is phased these requirements will apply to each phase when 80% of the lots are built-out. All of these requirements must be reflected on the Lot Grading Plan.

Mr. Brown, SCS, provided the applicant with soil maps and reports.

Mrs. West, CCPS, had no comment.



Mr. Harmon, DEH, read the comments of the department:

A Groundwater Appropriation Permit Exemption must be requested from Maryland Department of the Environment prior to final plat approval.

Show 2009 soil designations.

Delmarva Power stated that this project would be supplied by Choptank.

Mr. Di Giacomo stated that SHA and the Fire Chief's Association had no comments. Also, no comments were received by Daniel Graham, Citizen's Representative.

Mr. Di Giacomo stated that once comments are received by MDE, they will be forwarded to the applicant.

Mr. Di Giacomo, P&Z, read the comments of the department:

This proposal is in compliance with §3.8 & §3.9.1 regarding public notification.

With regard to the posting of plats on the County's website, notice is hereby given the jpg file submissions can be only 11 inches, maximum, in any direction. Adherence to that requirement will enable the County to better serve the public.

Zoning: SAR & RCA (Critical Area)

Density: The Concept Plat,⁹ proposing 8 lots, a reconfigured Lot 4, and the inclusion of Lot 5¹⁰ in the density calculation, on approximately 149.291 acres, for a density of 1:16.59,¹¹ was approved on 12/21/06, conditioned on:

- 1) The boundary line survey being completed prior to the TAC's review of any Preliminary Plat;
- 2) Documentation of the JD's completion being submitted prior to the Planning Commission's review of the Preliminary Plat;
- 3) Acreage totals consistently agreeing with one another on any Preliminary Plat;
- 4) Any Preliminary Plat's title block accurately reflecting what is actually being proposed;
- 5) The PFCP and any preliminary environmental assessment being approved prior to the Planning Commission's review of the Preliminary Plat;
- 6) All road name being approved prior to the Planning Commission's review of the Preliminary Plat;
- 7) Any Preliminary Plat's tabular information accurately reflecting lots in the proposal; and
- 8) Misspellings being corrected on all future submissions.

The Preliminary Plat for proposed Lots 1-4 only, was approved on 12/15/08, conditioned on:

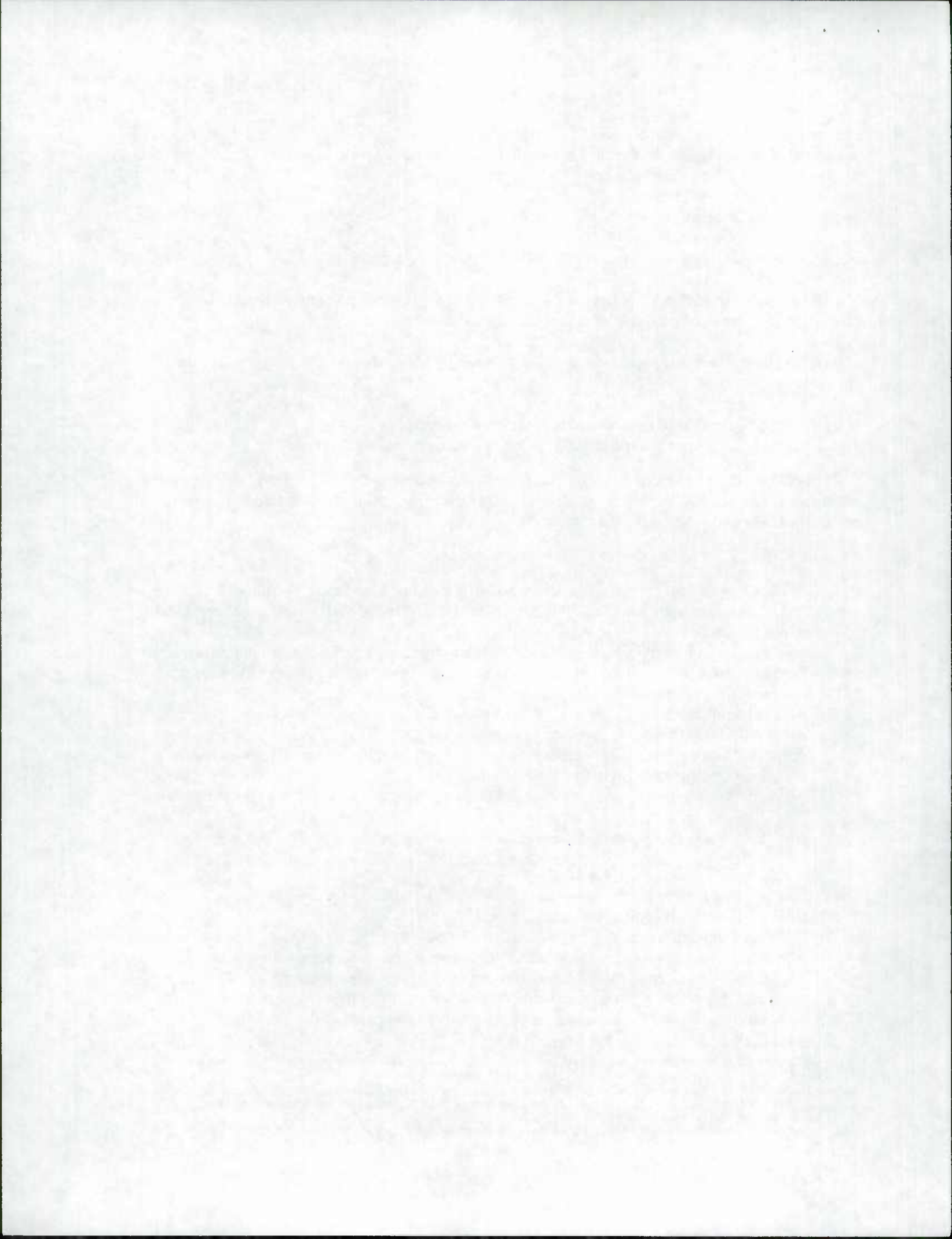
- 1) Health Department requirements beings met;
- 2) DPW requirements being met;
- 3) All Critical Area details being clearly and fully provided on subsequent submittals;
- 4) All Critical Area Commission comments being fully addressed on subsequent submittals;
- 5) The street tree planting easement's being depicted on the Final Plat;
- 6) The FCP/Landscape Plan being approved prior to the submission of the Final Plat;

⁹ A previous Concept Plat for this portion of the property was approved on 8/19/02. A one year extension was granted of the concept plat on 8/16/04, and a subsequent one year extension was granted on 8/15/05. It was allowed to expire in August 2006.

¹⁰ As stated at the 2/22/00 Planning Commission meeting: "The dwelling on the proposed lot 5 must be located on the original Parcel 1 portion of the lot, not the Parcel 3 add-on piece. Therefore, lot 5 will be included in the density calculation for this and all future subdivision proposals for Parcel 1."

Those comments pertain to Lot 5 of Smith Creek.

¹¹ SAR zone then permitted a base density of 1/ 8. Today, both it and the RCA overlay zone permit a density of 1 du/ 20 ac.



- 7) The issue of the proposed access easement across proposed Lot 1 being revisited prior to the submission of the Final Plat;
- 8) The Smith Creek Lane acreage being added to Note # 4 to meet the §4.1.22 (r) requirement prior to the submission of the Final Plat;
- 9) Deed Parcel lines being shown on all subsequent submittals; and
- 10) The SAR total acreage being corrected on all subsequent submittals.

This Preliminary Plat is generally consistent with the approved Concept & Preliminary Plats.

It is recommended that these lots be designated Section 2, or Phase 2. The title block should include the proposed lot numbers.

For the previous Preliminary Plat, the acreage and layout had changed and a resubdivision had created a revised Lot 4 on Deed Parcel 3, but no additional density was added to Deed Parcel 3. All of the new dwellings proposed are, and must be, on Deed Parcel 1.

What is the proposed disposition of the shed, with access from the adjacent lot, on proposed Lot 5? Mr. Scott said he believes the owner would like to have the shed remain on the lot.

Did the shed on proposed Lot 5, with access from the adjacent lot, figure into the calculations in Note #12? Mr. Scott said he would have to check on that. If not, then lot coverage must be recalculated.

The dwelling on Lot 5 of Deed Parcel 3 was moved back to within Deed Parcel 1, because the Deed Parcel 3 density had been, and remains, exhausted.

Note # 4 indicates that there are 133.791 acres in this section, 104.312 in the Critical Area. The cited SAR density of 1/44.60 is only for this section. The RCA density is 1/34.77.

The boundary line survey has been completed. The Critical Area boundary and old 110' Buffer have been shown. The new RCA Buffer is 200'.¹²

The Smith Creek Lane road name has been approved.

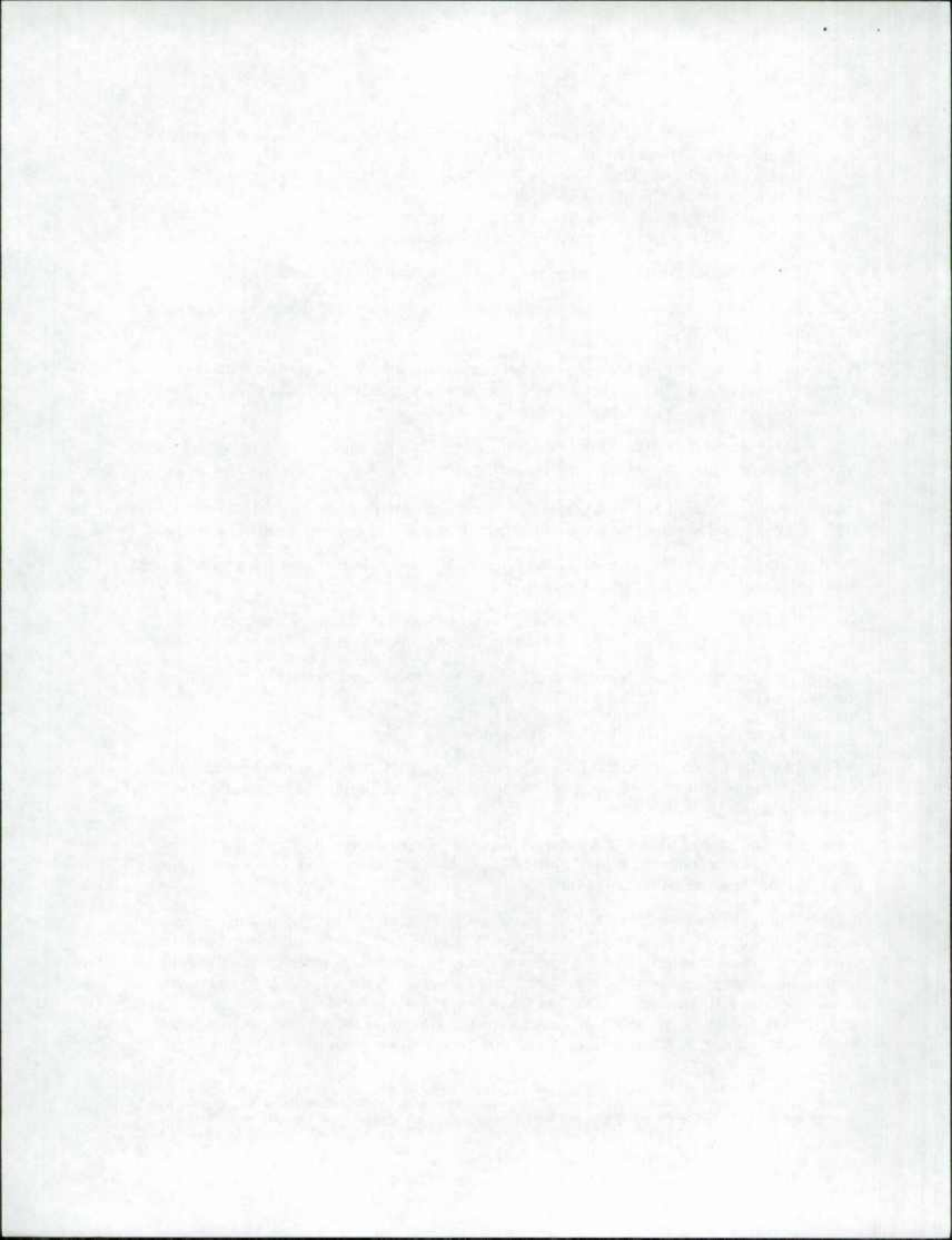
Slopes > 25% have been depicted. On slopes between 15 and 25%, good engineering practices shall be used to ensure sediment and erosion control and slope stabilization before, during and after disturbance activities.¹³

A 110' perennial stream buffer is required from all perennial streams present. This buffer shall be expanded to include contiguous areas of hydric soils, highly erodible soils, and soils on slopes greater than 15% -- to a maximum distance of 160'.

A 25' buffer is required around all non-tidal wetlands and intermittent streams present. Permits are required from the (US Army) Corps of Engineers and MDE for all non-tidal wetland and stream impacts prior to recordation. JD's are required in conjunction with permitting. If no permits are required, and if the proposed project meets the policy standards established on 3/20/95 and revised on 1/16/96, or if the FSD/Conceptual Environmental Assessment finds that there are to be no impacts to field-delineated wetlands or stream impacts, or if the FSD/Conceptual Environmental Assessment finds that there are no wetlands or streams and that finding is consistent with the details of County

¹² So long as the lots are recorded prior to 7/1/10, they will be considered grandfathered with respect to the 110' Buffer.

¹³ The Cecil County Subdivision Regulations define steep slopes as "15 percent or greater incline." The Cecil County Zoning Ordinance defines steep slopes as consisting of a grade of 25% or more covering a contiguous area of 10,000 ft² or more. The Cecil County Forest Conservation Regulations define steep slopes as "areas with slopes greater than 25 percent slope."



wetlands maps and USGS quad maps, then no JD is required. If required, then a JD is recommended to be done prior to Final Plat review by the Planning Commission, but required to be completed prior to recordation.

No common open space is required for fewer than 10 lots, & no landscaping is required in the SAR zone.

Note # 4 meets the §4.1.22 (r) requirement.

The FSD approved on 12/18/99 was extended on 12/20/06 until 10/15/09 – next Thursday.

The PFCP/Prelim. Environmental Assessment was conditionally approved on 11/19/08. The FRA shown is not consistent with the PFCP/PEA.

The final Forest Conservation Plan (FCP)/Landscape Plan/EA must be approved prior to Planning Commission review of the Final Plat (§6.3.B(1)(a), Cecil County Forest Conservation Regulations).

A Landscape Agreement must be executed prior to recordation.

Deed restrictions for the long-term protection of the Forest Retention/Afforestation Areas (FRAs) must be recorded and noted on the plat prior to recordation, with the metes and bounds description of the FRA being shown on the Final and Record Plats.

The RCA's 15% lot coverage threshold applies; those percentages have been calculated and included in Note #12 on Sheet 1 of 4.

FIDS habitat must be avoided in the Critical Area.

No development is permitted in the tidal wetlands and tidal waters buffers, including septic systems, impervious surfaces, parking areas, roads, or structures, as noted in an unnumbered note.

A Critical Area 110' buffer, and expansions thereof, have been shown. However, the new Buffer in the RCA is a minimum of 200', not 110'.

CBCAC comments relating to this project were received on 10/5/09. A copy is being provided to the applicant.

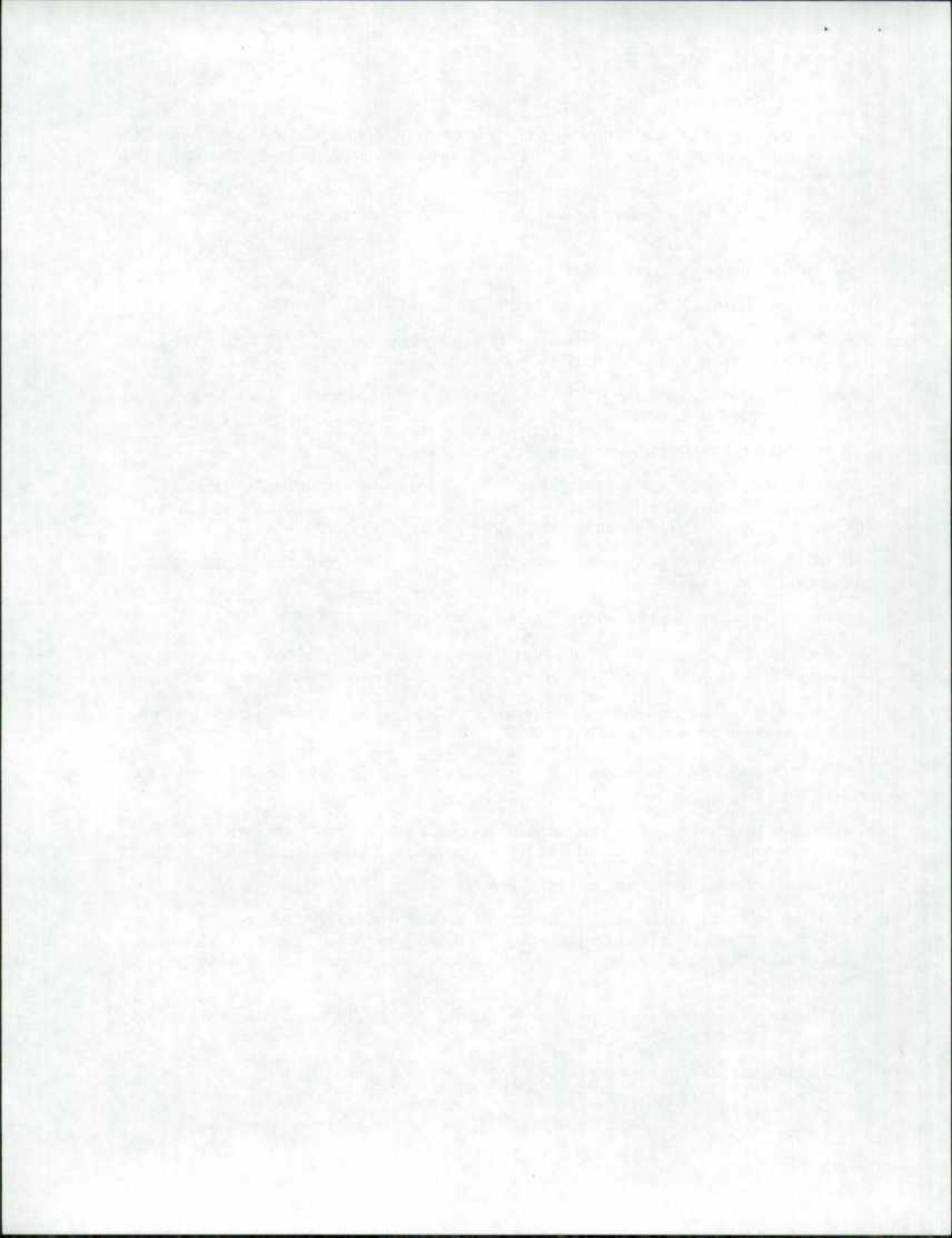
Per §200.6.b(2), no more than 20% of the forest or developed woodland may be removed. When less than 15% of the site is in forest cover, at least 15% of the gross site area shall be afforested (§200.6.a).

In the critical area, no structure shall exceed 35' in height.

A 200' tidal wetland and tidal waters buffer shall be established in natural vegetation. This buffer shall be expanded to include contiguous sensitive areas featuring hydric soils, highly erodible soils on slopes greater than 15%, or areas of impact including streams, wetlands, or other aquatic environments.

The plat does not show how lots 5, 6, & 7 will be accessed. Specifically, how will lots 5, 6 and 7 be accessed?

Without that information, how can the lot coverage calculations be made, or verified?



The applicant is reminded of the 4:30 p.m. submission deadline on the 3rd Thursday for review by the Planning Commission the following month.

School information:	Elementary	Middle	High School
	Cecilton	Bo Manor	Bo Manor
FTE	328	478	733
Capacity	350	601	643
% Utilization	94%	80%	114%

5. Smith Creek II, Lots 1-5, Welders Lane, Final Plat, Michael Scott, Inc., First Election District.

Michael Scott, Surveyor, appeared and presented an overview of the project.

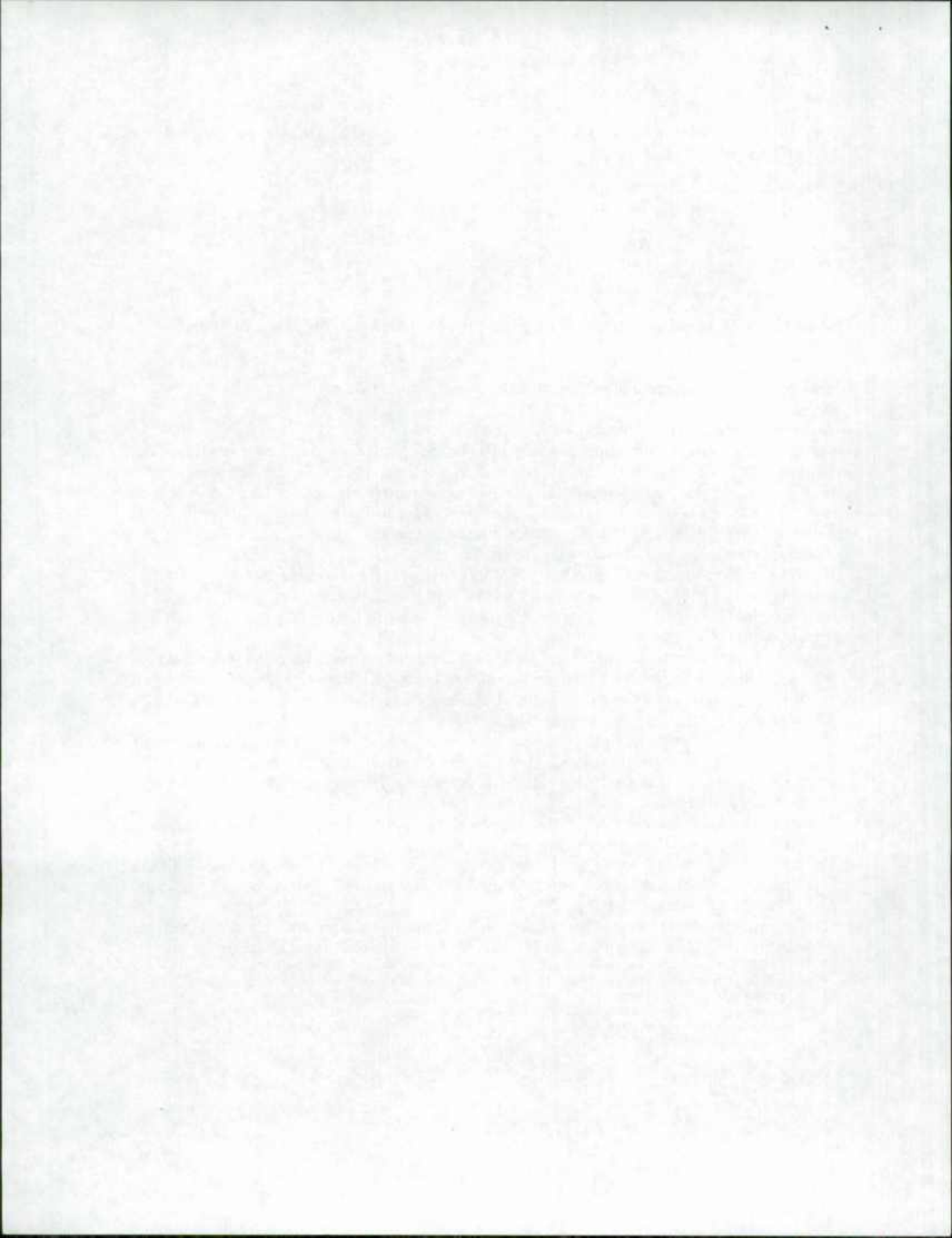
Mr. Woodhull, DPW, read the comments of the department:

This is extremely premature for a final plat submittal. The SWM plan, Road & Storm Drain plan and the Mass and Final Grading plan approvals required prior to submittal for Final Plat Approval have not been granted. In fact the Department is waiting on response to our November 19, 2008 comments wherein the design plans were returned as incomplete. We have had no response since then from the Applicant and/or his Engineer. The Department cannot recommend approval of this final plat. We will however provide you with the following comments:

1. Has any consideration been given to how SWM quantity control will be addressed for this site? If a SWM pond or similar BMP is required it should be located in common open space. If it is on an individual lot language for all affected lots must be included in the deeds addressing rights and responsibilities of all parties.
2. The stormwater drainage easement shown on Lot 2 appears to provide for conveyance from the proposed cul-de-sac to the Lot 5 property line but not beyond. The easement must be continued across Lot 5 until it reaches an existing stream, swale or other defined conveyance. This must be identified on the preliminary plat presented to the Planning Commission.
3. If the stormwater management plan involves the redirection of some or all the stormwater runoff of the site or concentrates the release of stormwater runoff in an offsite area that previously received non-concentrated flow permission (via easements or other property interests) where necessary must be obtained.
4. The legend on Sheet 2/5 must reflect the cross hatching used to identify the proposed perpetual right of way for the dwelling on Parcel 76, Lot 1.
5. The Department will require, at a minimum, a deeded right of access for the dwelling on Parcel 76, Lot 1 across the proposed Lot 1 of this subdivision. This terminology must be reflected in the note referencing this access on Sheet 2/5
6. The following standard notes and requirements apply to this plat and project: The details of these notes and requirements will be identified in the record but will not be read at this time:
 - 6.1 The Final Plat Lot Grading and the Lot Grading Plan Construction Limits Note.
 - 6.2 Compliance with Sections 251-9.A (5), 251-13, and 251-15.D. of the Cecil County Stormwater Management Ordinance.
 - 6.3 Requirements for Utility relocations.
 - 6.4 Requirements for Stormwater Inspection and Maintenance Agreements.
 - 6.5 Requirements for Public Works Agreement.
 - 6.6 Requirements for Driveways.

Notes and requirements identified for record:

1. The Final Plat must include the Lot Grading Plan standard note and the Lot Grading Plan must include the standard construction limits note.



- c. *Final Plat: "A lot grading plan has been approved by the CCDPW for the construction shown hereon. A site construction as built shall be submitted to the CCDPW prior to use and/or occupancy of any of the sites shown hereon. Any change to the Forest Retention, Forestation, and/or Reforestation will require a consistency review, of the SWM approval, with CCDPW."*
 - d. *Grading Plan: "No clearing or grading is permitted beyond the limits of disturbance show hereon. Any expanded clearing and/or grading in the absence of an approved revised lot grading plan may be considered non-compliance with Chapter 251 of the Cecil County Code and either or both the developer and/or Builder may be subject to the enforcement of the penalty provisions therein."*
2. The downstream conveyance of storm water must be analyzed in accordance with Section 251-9 A. (5) of the county's SWM Ordinance. If stormwater discharge is directed off of the site on to adjacent property it is the responsibility of the Developer to obtain appropriate easements from the affected property owners per Sections 251-13 and 251-15.D of the Cecil County SWM Ordinance.
 3. Where determined necessary by the utility companies, the owner, the designer, or DPW, utility poles must be relocated at the Developer's expense.
 4. An Inspection & Maintenance Agreement is required for the private SWM facilities.
 5. A Public Works Agreement is required for the road & storm drain work.
 6. All driveways must be paved at least to the right of way. The driveway paving must be complete for all lots at the time when the surface course for the internal roads is installed. This requirement includes any vacant but platted lots. Any driveway exceeding 5% up-gradient-slope from the roadway must be paved to the crest. If the development is phased these requirements will apply to each phase when 80% of the lots are built-out. All of these requirements must be reflected on the Lot Grading Plan.

Mr. Brown, SCS, provided the applicant with soil maps and reports.

Mrs. West, CCPS, provided the applicant with the bus stop guidelines and asked that the cul-de-sac be large enough to support a school bus. Also, Lots 5, 6 & 7 will not be provided direct service. The children would have to go to the designated bus stop assigned by the CCPS Transportation Department.

Mr. Harmon, DEH, read the comments of the department:

A Groundwater Appropriation Permit Exemption must be requested from Maryland Department of the Environment prior to final plat approval (MDE indicates in December 2008 that the previous Groundwater Appropriation Permit was "closed").

If you chose to show soils, use 2009 soil designations.

Plat is satisfactory.

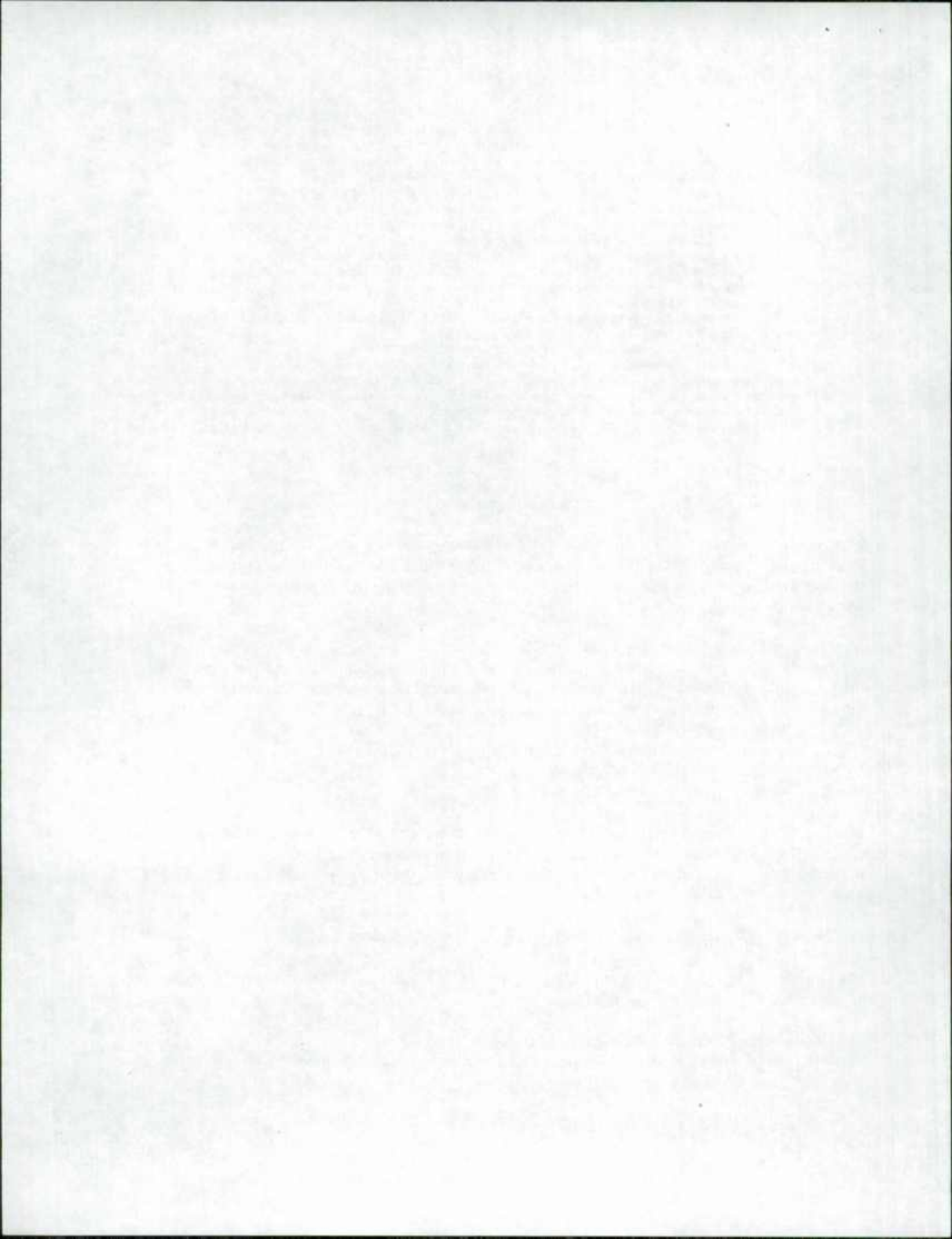
Mr. Di Giacomo stated that SHA and the Fire Chiefs Association had no comments. Also, no comments were received by Daniel Graham, Citizen's Representative. Mr. Di Giacomo referred back to the Cecilton Fire Company's comments there were given to the Wright project earlier reviewed. Those comments may also pertain to this project.

Delmarva Power stated that this project will be supplied by Choptank.

Mr. Di Giacomo stated that once comments are received by MDE, they will be forwarded to the applicant.

Mr. Di Giacomo, P&Z, read the comments of the department:

This proposal is in compliance with §3.8 & §3.9.1 regarding public notification.



With regard to the posting of plats on the County's website, notice is hereby given the jpg file submissions can be only 11 inches, maximum, in any direction. Adherence to that requirement will enable the County to better serve the public.

Zoning: SAR & RCA (Critical Area)

Density: The Concept Plat,¹⁴ proposing 8 lots, a reconfigured Lot 4, and the inclusion of Lot 5¹⁵ in the density calculation, on approximately 149.291 acres, for a density of 1:16.59,¹⁶ was approved on 12/21/06, conditioned on:

- 1) The boundary line survey being completed prior to the TAC's review of any Preliminary Plat;
- 2) Documentation of the JD's completion being submitted prior to the Planning Commission's review of the Preliminary Plat;
- 3) Acreage totals consistently agreeing with one another on any Preliminary Plat;
- 4) Any Preliminary Plat's title block accurately reflecting what is actually being proposed;
- 5) The PFCP and any preliminary environmental assessment being approved prior to the Planning Commission's review of the Preliminary Plat;
- 6) All road name being approved prior to the Planning Commission's review of the Preliminary Plat;
- 7) Any Preliminary Plat's tabular information accurately reflecting lots in the proposal; and
- 8) Misspellings being corrected on all future submissions.

The Preliminary Plat for proposed Lots 1-4 only, was approved on 12/15/08, conditioned on:

- 1) Health Department requirements being met;
- 2) DPW requirements being met;
- 3) All Critical Area details being clearly and fully provided on subsequent submittals;
- 4) All Critical Area Commission comments being fully addressed on subsequent submittals;
- 5) The street tree planting easement's being depicted on the Final Plat;
- 6) The FCP/Landscape Plan being approved prior to the submission of the Final Plat;
- 7) The issue of the proposed access easement across proposed Lot 1 being revisited prior to the submission of the Final Plat;
- 8) The Smith Creek Lane acreage being added to Note # 4 to meet the §4.1.22 (r) requirement prior to the submission of the Final Plat;
- 9) Deed Parcel lines being shown on all subsequent submittals; and
- 10) The SAR total acreage being corrected on all subsequent submittals.

This Final Plat is generally consistent with the approved Concept Plat, but not consistent with the Preliminary Plat just reviewed. In addition, proposed Lot 5, in any form, has never been part of any Preliminary Plat approval.

What's more, the Preliminary Plat indicated Lot 5's acreage to be only 53.953 acres.

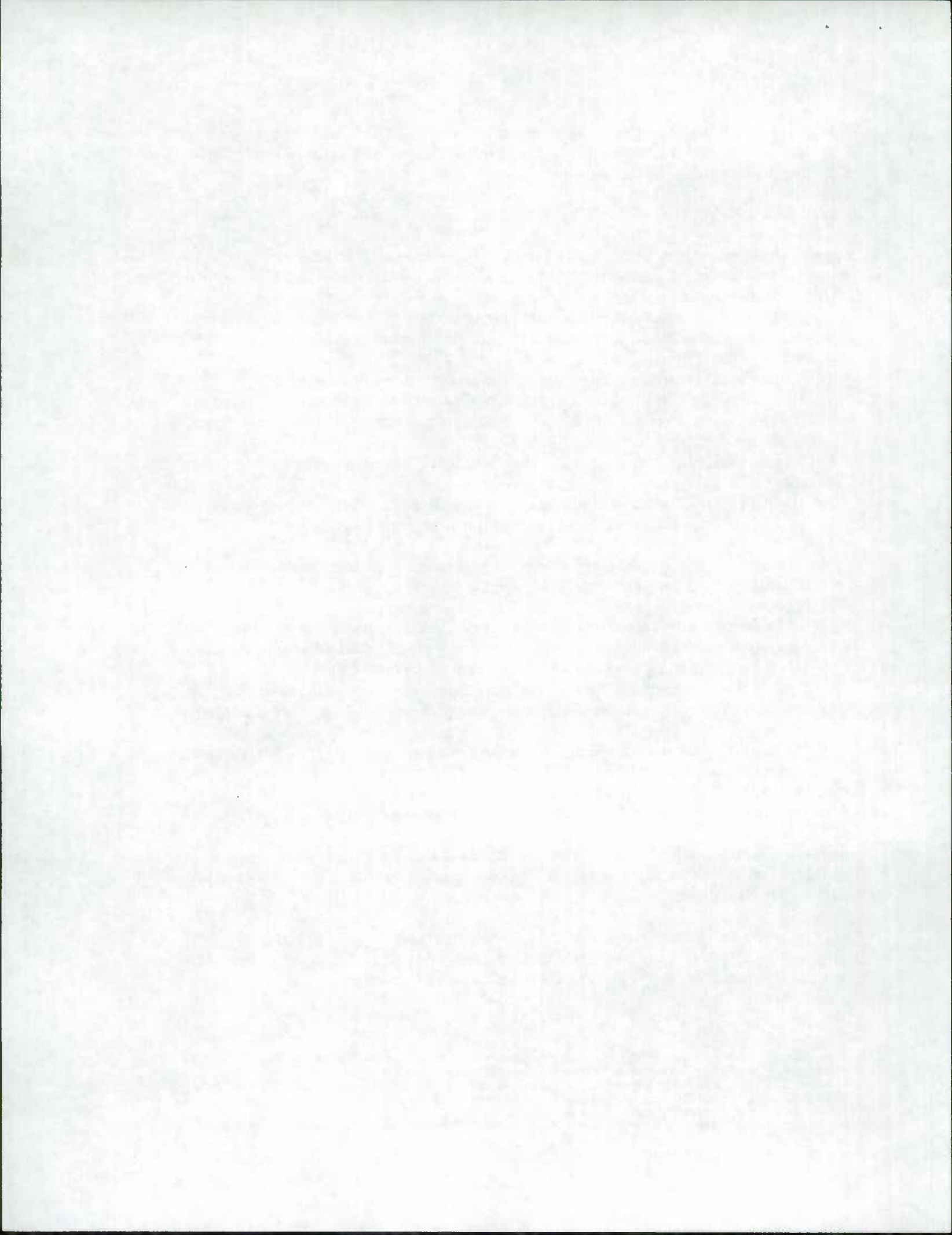
If proposed Lots 5-7 are designated Section 2, or Phase 2, as suggested in the earlier review, then proposed Lot 5 could not also be part of what logically would be Section 1.

¹⁴ A previous Concept Plat for this portion of the property was approved on 8/19/02. A one year extension was granted of the concept plat on 8/16/04, and a subsequent one year extension was granted on 8/15/05. It was allowed to expire in August 2006.

¹⁵ As stated at the 2/22/00 Planning Commission meeting: "The dwelling on the proposed lot 5 must be located on the original Parcel 1 portion of the lot, not the Parcel 3 add-on piece. Therefore, lot 5 will be included in the density calculation for this and all future subdivision proposals for Parcel 1."

Those comments pertain to Lot 5 of Smith Creek.

¹⁶ SAR zone then permitted a base density of 1/ 8. Today, both it and the RCA overlay zone permit a density of 1 du/ 20 ac.



The title block should include the proposed lot numbers.

For the previous, overall Preliminary Plat, not the one just reviewed, the acreage and layout had changed and a resubdivision had created a revised Lot 4 on Deed Parcel 3, but no additional density was added to Deed Parcel 3. All of the new dwellings proposed were, and must be, on Deed Parcel 1.

What is the proposed disposition of the shed, with access from the adjacent lot, on proposed Lot 5? If those items were not included in the lot coverage calculations, then those calculations must be redone.

The proposed access to the dwelling on proposed Lot 5 is still not shown. If that was not factored into the lot coverage calculations, then those calculations must be redone.

The details of any proposed access easement/ PRMA must be provided relating to Lot 5 and to Lot 1 on Parcel 76.

Regarding the access lane across proposed Lot 1, as stated at the 12/15/08 Planning Commission review of the Preliminary Plat, the proposed access easement across proposed Lot 1 is not a good design. For that reason, the Planning Commission included as a condition of Preliminary approval: "The issue of the proposed access easement across proposed Lot 1 being revisited prior to the submission of the Final Plat."

How was this issue revisited and with whom? This was revisited in the previous review of the Preliminary Plat.

The dwelling on Lot 5 of Deed Parcel 3 was moved back to within Deed Parcel 1, because the Deed Parcel 3 density had been, and remains, exhausted.

Note # 4 indicates that there are 104.312 in the Critical Area, and that the RCA density is 1:104.312. That suggests that proposed Lots 6 & 7 are being abandoned. If so, then why was the just-reviewed Preliminary Plat submitted?

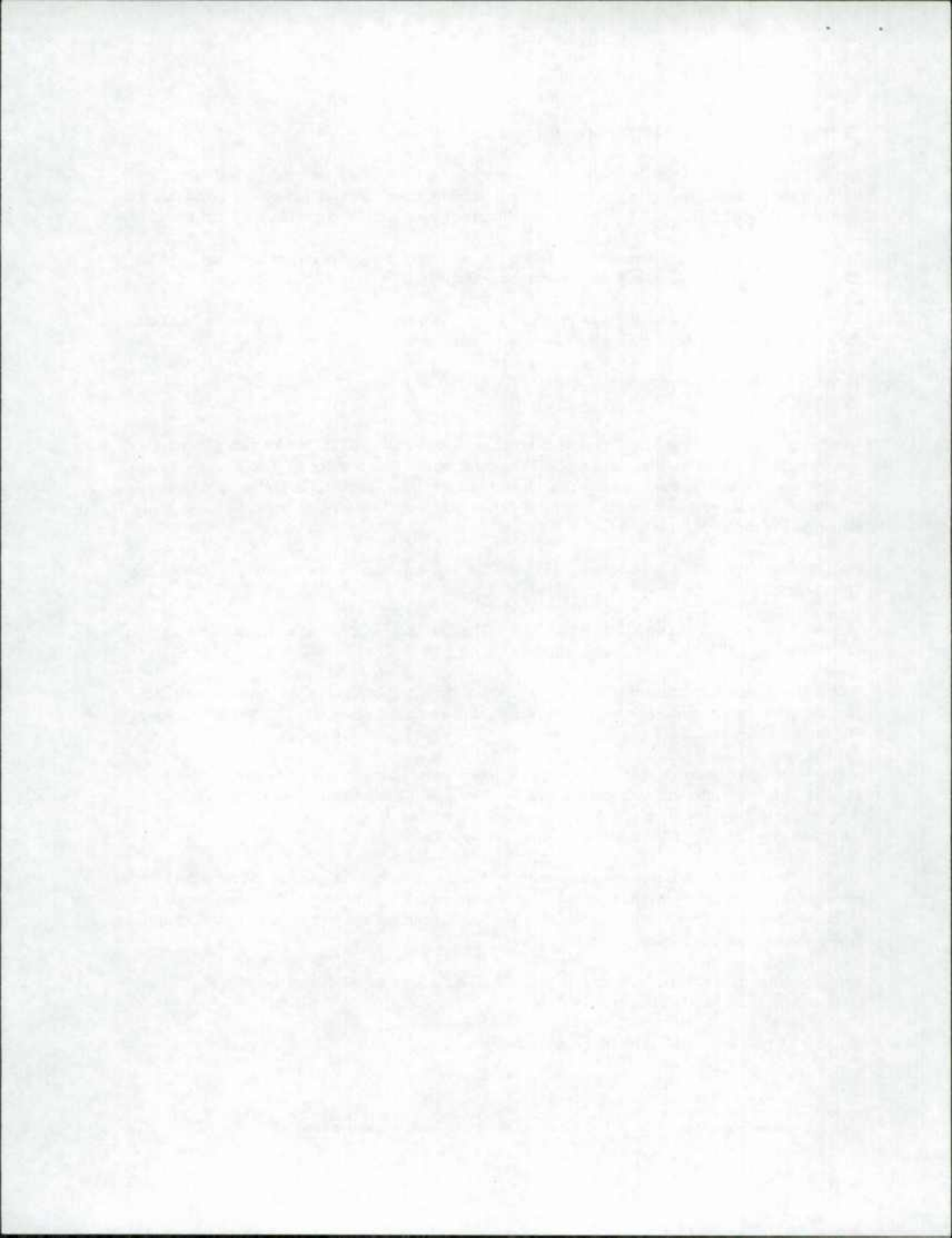
Note # 4 indicates that the cited SAR density is 1/24.16. However, based on the stated acreage of 144.941, 5 lots would yield a density of 1/28.89. Based on 7 lots, as the Preliminary Plat would suggest, the density would be 1/20.64. Therefore, it is unclear how the 1/24.16 density figure was arrived at, especially given the wording contained in Note # 8.

The wording of Note # 8 is erroneous and must be changed. Concept Plats approved after 7/25/89 do not remain valid in perpetuity, and with the SAR density of 1/20, 7 lots on 144.941 acres completely exhausts all subdivision potential. In addition, the RCA portion of the property and its potential for 1:20 density do not stand independently.

The boundary line survey has been completed. The Critical Area boundary and old 110' Buffer have been shown. The new RCA Buffer is 200'.¹⁷

The Smith Creek Lane road name has been approved.

¹⁷ So long as the lots are recorded prior to 7/1/10, they will be considered grandfathered with respect to the 110' Buffer.



Slopes > 25% have been depicted. On slopes between 15 and 25%, good engineering practices shall be used to ensure sediment and erosion control and slope stabilization before, during and after disturbance activities.¹⁸

A 110' perennial stream buffer is required from all perennial streams present. This buffer shall be expanded to include contiguous areas of hydric soils, highly erodible soils, and soils on slopes greater than 15% -- to a maximum distance of 160'.

A 25' buffer is required around all non-tidal wetlands and intermittent streams present. Permits are required from the (US Army) Corps of Engineers and MDE for all non-tidal wetland and stream impacts prior to recordation. JD's are required in conjunction with permitting. If no permits are required, and if the proposed project meets the policy standards established on 3/20/95 and revised on 1/16/96, or if the FSD/Conceptual Environmental Assessment finds that there are to be no impacts to field-delimited wetlands or stream impacts, or if the FSD/Conceptual Environmental Assessment finds that there are no wetlands or streams and that finding is consistent with the details of County wetlands maps and USGS quad maps, then no JD is required. If required, then a JD is recommended to be done prior to Final Plat review by the Planning Commission, but required to be completed prior to recordation.

No common open space is required for fewer than 10 lots, & no landscaping is required in the SAR zone.

The FSD approved on 12/18/99 was extended on 12/20/06 until 10/15/09 -- next Thursday.

The PFCP/Prelim. Environmental Assessment was conditionally approved on 11/19/08. The FRA shown is not consistent with the PFCP/PEA.

The final Forest Conservation Plan (FCP)/Landscape Plan/EA must be approved prior to Planning Commission review of the Final Plat (§6.3.B(1)(a), Cecil County Forest Conservation Regulations).

A Landscape Agreement must be executed prior to recordation.

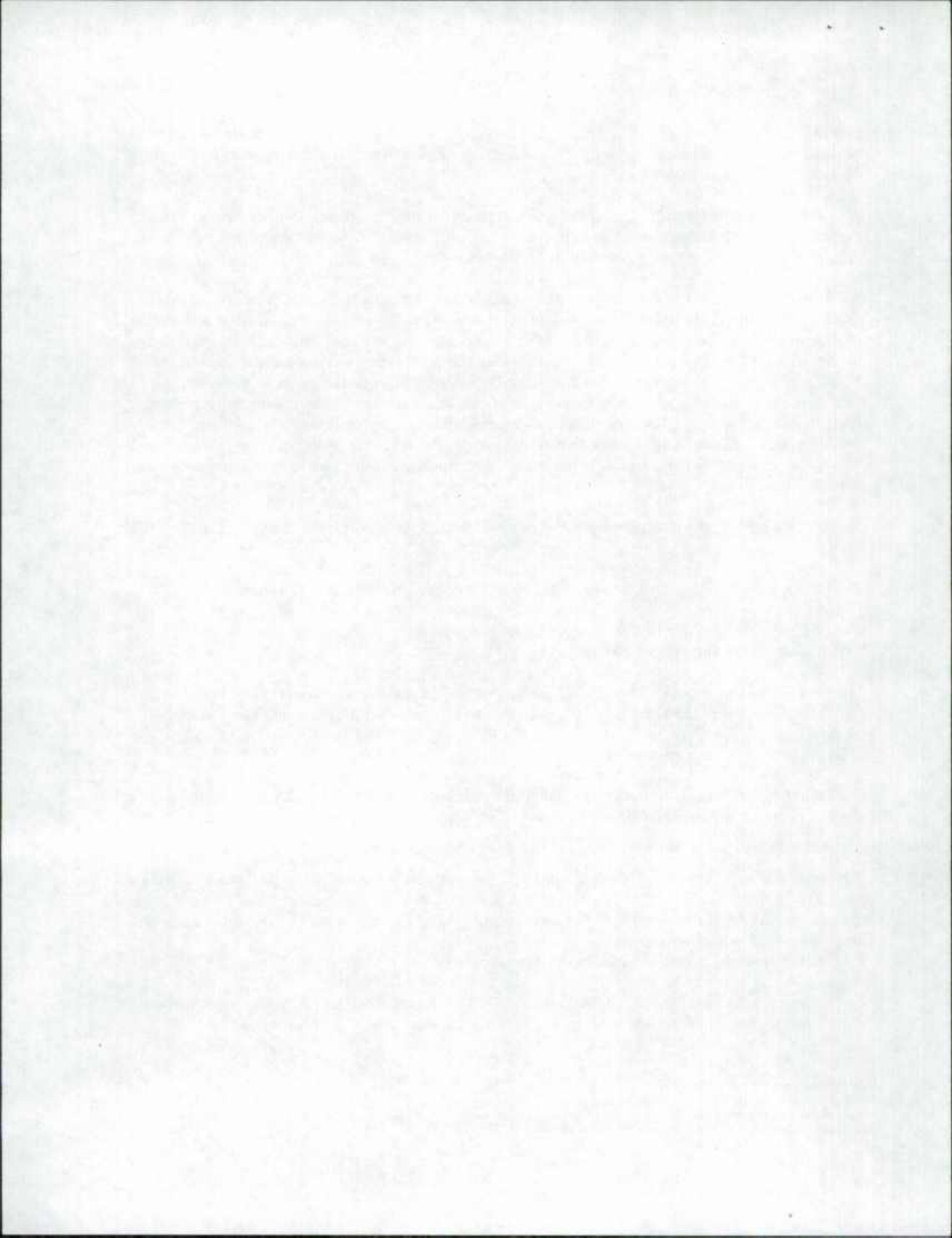
Deed restrictions for the long-term protection of the Forest Retention/Afforestation Areas (FRAs) must be recorded and noted on the plat prior to recordation, with the metes and bounds description of the FRA being shown on the Final and Record Plats.

The RCA's 15% lot coverage threshold applies; those percentages were calculated and included in Note #12 on Sheet 1 of 4 of the Preliminary Plat, just reviewed. The Preliminary Plat's lot coverage calculation was based upon proposed Lot 5 consisting of 53.943 acres, not 133.791. Other questions also remain (/have been answered).

FIDS habitat must be avoided in the Critical Area.

No development is permitted in the tidal wetlands and tidal waters buffers, including septic systems, impervious surfaces, parking areas, roads, or structures, as noted in an unnumbered note.

¹⁸ The Cecil County Subdivision Regulations define steep slopes as "15 percent or greater incline." The Cecil County Zoning Ordinance defines steep slopes as consisting of a grade of 25% or more covering a contiguous area of 10,000 ft² or more. The Cecil County Forest Conservation Regulations define steep slopes as "areas with slopes greater than 25 percent slope."



A Critical Area 110' buffer, and expansions thereof, have been shown. However, the new Buffer in the RCA is a minimum of 200', not 110'. So long as the lots are recorded prior to 7/1/10, they will be considered grandfathered with respect to the 110' Buffer.

Another Critical Date is 5/4/10, with respect to the stormwater management plan.

Should this project be delayed, and should a redesign therefore be necessary, then a new Concept Plat may be required. The applicant is hereby advised that the new SAR density of 1:20 would then apply – as would new stormwater management regulations and the new 200' minimum Buffer in the RCA.

CBCAC comments relating to this project were received on 10/5/09. Those and promised subsequent comments must be satisfactorily addressed. A copy is being provided to the applicant.

Per §200.6.b (2), no more than 20% of the forest or developed woodland may be removed. When less than 15% of the site is in forest cover, at least 15% of the gross site area shall be afforested (§200.6.a).

In the critical area, no structure shall exceed 35' in height.

A 200' tidal wetland and tidal waters buffer shall be established in natural vegetation. This buffer shall be expanded to include contiguous sensitive areas featuring hydric soils, highly erodible soils on slopes greater than 15%, or areas of impact including streams, wetlands, or other aquatic environments.

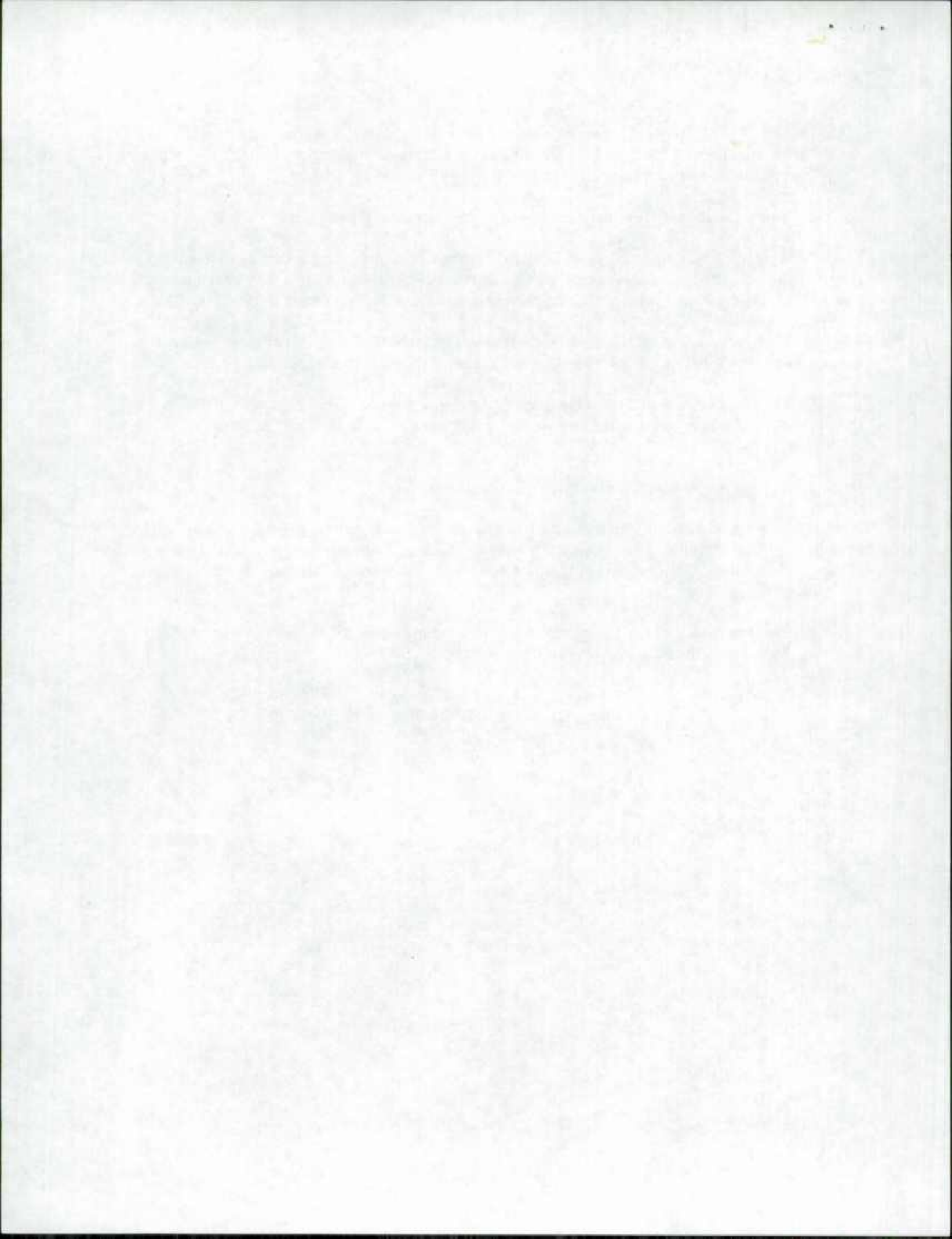
The applicant is reminded of the 4:30 p.m. submission deadline on the 3rd Thursday for review by the Planning Commission the following month.

School information:	Elementary	Middle	High School
	Cecilton	Bo Manor	Bo Manor
FTE	328	478	733
Capacity	350	601	643
% Utilization	94%	80%	114%

The October TAC meeting adjourned at 10:22 a.m.

Respectfully submitted,

Jennifer Bakeoven



12/15/08

Planning Commission

A motion for approval with conditions was made by Mr. Wiggins.
The motion was seconded by Mr. Janusz.

All approve. Motion carried.

EA: cond. approval → we did not see
Approved prelim subsequent to all CA
issues addressed

6. Smith Creek, II, Lots 1-7, Welders Lane, Preliminary Plat, Michael Scott, Inc., First Election District.

Michael Scott, Surveyor and Rick Davis, DMS and Associates, appeared and presented an overview of the project. Mr. Scott presented the Planning Commission members with revised plats as this project had gone before the TAC earlier in the month. Corrections were made to the plats per the comments of the TAC.

Mr. Di Giacomo, P&Z, read the comments of the department:
This proposal is in compliance with §3.8 & §3.9.1 regarding public notification.

With regard to the posting of plats on the County's website, notice is hereby given the jpg file submissions can be only 11 inches, maximum, in any direction. Adherence to that requirement will enable the County to better serve the public.

Zoning: SAR & RCA (Critical Area)

Density: The Concept Plat,²⁰ proposing 8 lots, a reconfigured Lot 4, and the inclusion of Lot 5²¹ in the density calculation, on approximately 149.291 acres, for a density of 1:16.59,²² was approved on 12/21/06, conditioned on:

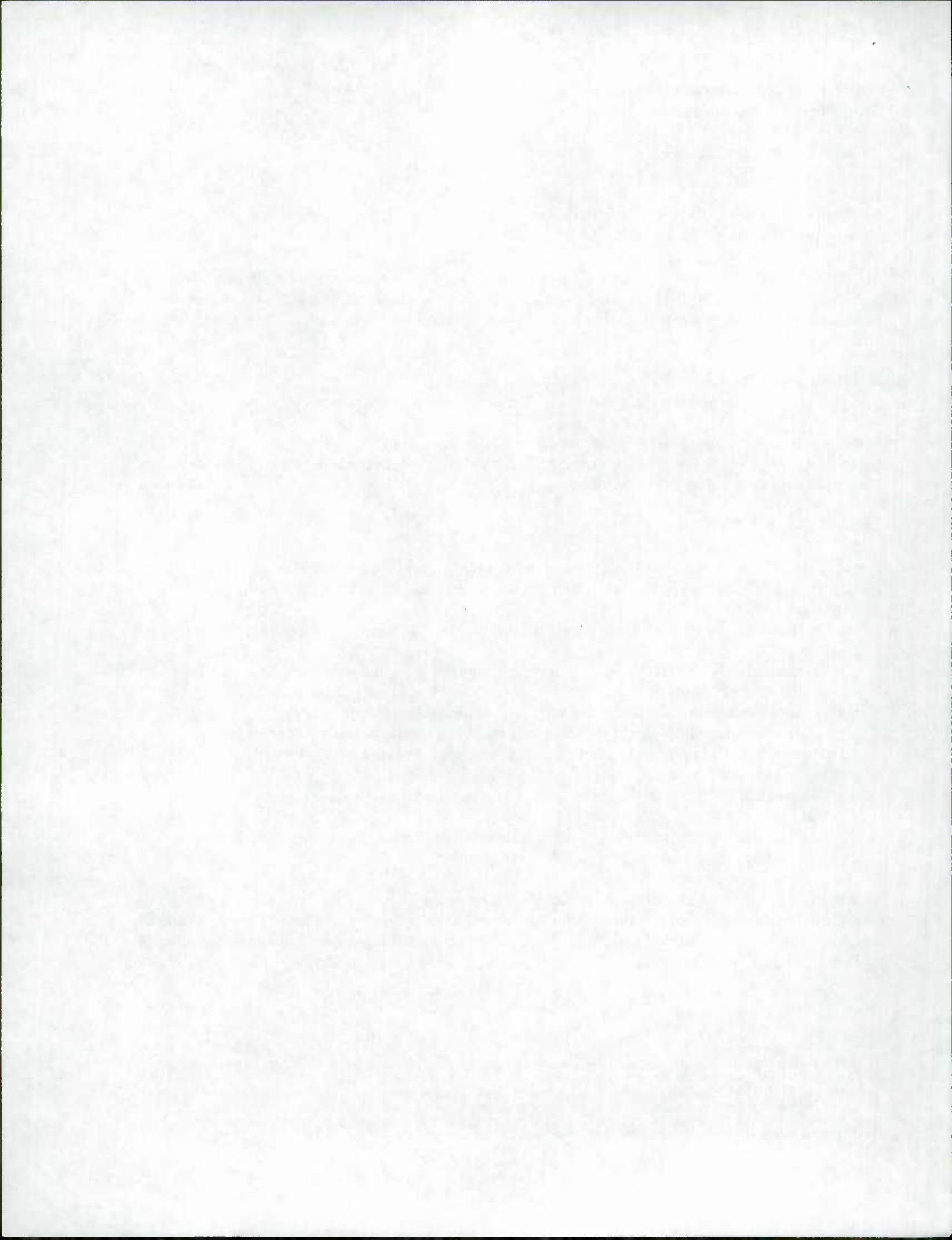
- 1) The boundary line survey being completed prior to the TAC's review of any Preliminary Plat;
- 2) Documentation of the JD's completion being submitted prior to the Planning Commission's review of the Preliminary Plat;
- 3) Acreage totals consistently agreeing with one another on any Preliminary Plat;
- 4) Any Preliminary Plat's title block accurately reflecting what is actually being proposed;
- 5) The PFCP and any preliminary environmental assessment being approved prior to the Planning Commission's review of the Preliminary Plat;
- 6) All road name being approved prior to the Planning Commission's review of the Preliminary Plat;
- 7) Any Preliminary Plat's tabular information accurately reflecting lots in the proposal; and
- 8) Misspellings being corrected on all future submissions.

This Preliminary Plat is generally consistent with the approved Concept Plat; however, the acreage and layout have changed and a resubdivision has created a revised Lot 4 on Deed Parcel 3, but no additional density was added to Deed Parcel 3. All of the new dwellings proposed are, and must be, on Deed Parcel 1.

²⁰ A previous Concept Plat for this portion of the property was approved on 8/19/02. A one year extension was granted of the concept plat on 8/16/04, and a subsequent one year extension was granted on 8/15/05. It was allowed to expire in August 2006.

²¹ As stated at the 2/22/00 Planning Commission meeting: "The dwelling on the proposed lot 5 must be located on the original Parcel 1 portion of the lot, not the Parcel 3 add-on piece. Therefore, lot 5 will be included in the density calculation for this and all future subdivision proposals for Parcel 1." Those comments pertain to Lot 5 of Smith Creek.

²² SAR zone then permitted a base density of 1 du/ 8 ac. Today, it and the RCA overlay zone permit a density of 1 du/ 20 ac.



Thus the Deed Parcel lines are critical and must be shown. The dwelling on Lot 5 of Deed Parcel 3 was moved back to within Deed Parcel 1, because the Deed Parcel 3 density had been, and remains, exhausted.

Likewise, the Critical Area boundaries are vitally important. Unfortunately, they have not been shown and/or have not been labeled on various sheets.

Note # 4 indicates that there are now 144.941 total acres. Contrary to Note # 4, all 144.941 acres are zoned SAR. The 7 proposed new dwellings plus the Deed Parcel 3 Lot 5 dwelling yield a proposed density of 1/18.12. The cited density of 1/10.157 is erroneous.

The stated RCA density of 1/34.77 is correct (3 lots on 104.312 acres).

The applicant was reminded that if the Concept Plat approval is allowed to expire, the current SAR density limit of 1/20 shall apply.

The Lot Coverage calculations must be included and cannot exceed 15%.

The boundary line survey has been completed.

The expanded 110' Critical Area Buffer has been shown; it must be more clearly labeled.

In the Critical Area, forest clearing up to 20% must be replaced on a one to one basis. A height limitation of 35' is imposed in the Critical Area.

The Smith Creek Lane road name has been approved by DES.

The proposed access easement across proposed Lot 1 is not a good design.

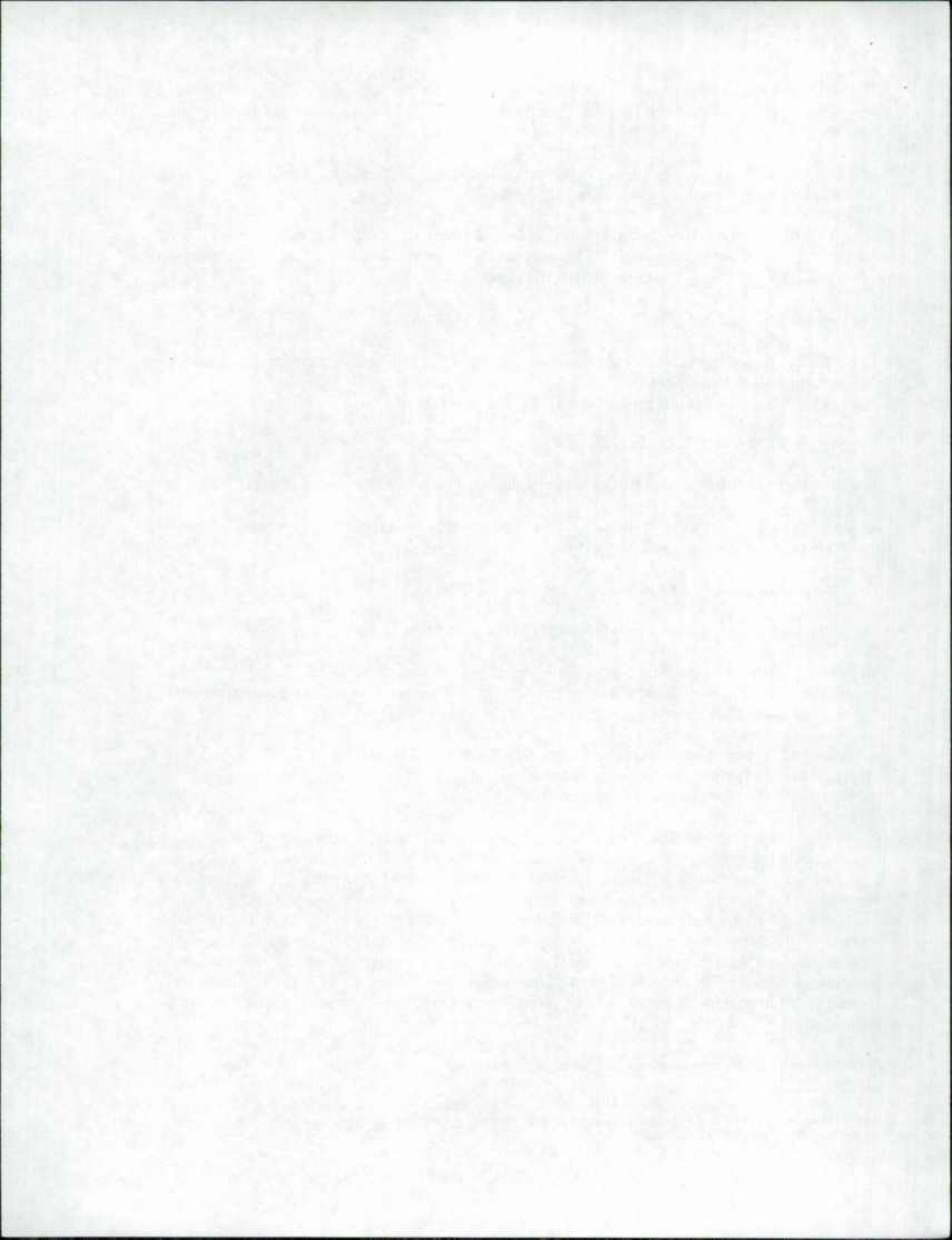
Slopes > 25% need to be better graphically depicted. On slopes between 15 and 25%, good engineering practices shall be used to ensure sediment and erosion control and slope stabilization before, during and after disturbance activities.²³

A 110' perennial stream buffer is required from all perennial streams present. This buffer shall be expanded to include contiguous areas of hydric soils, highly erodible soils, and soils on slopes greater than 15% -- to a maximum distance of 160'.

A 25' buffer is required around all non-tidal wetlands and intermittent streams present. Permits are required from the (US Army) Corps of Engineers and MDE for all non-tidal wetland and stream impacts prior to recordation. JD's are required in conjunction with permitting. If no permits are required, and if the proposed project meets the policy standards established on 3/20/95 and revised on 1/16/96, or if the FSD/Conceptual Environmental Assessment finds that there are to be no impacts to field-delineated wetlands or stream impacts, or if the FSD/Conceptual Environmental Assessment finds that there are no wetlands or streams and that finding is consistent with the details of County wetlands maps and USGS quad maps, then no JD is required. If required, then a JD is recommended to be done prior to Final Plat review by the Planning Commission, but required to be completed prior to recordation.

No common open space is required for 8 lots, & no landscaping is required in the SAR zone.

²³ The Cecil County Subdivision Regulations define steep slopes as "15 percent or greater incline." The Cecil County Zoning Ordinance defines steep slopes as consisting of a grade of 25% or more covering a contiguous area of 10,000 ft² or more. The Cecil County Forest Conservation Regulations define steep slopes as "areas with slopes greater than 25 percent slope."



Rows of street trees with 10' planting easements are required, outside the right-of-way, along both sides of all internal roads. They have not been shown, as required.

Except for the Smith Creek Lane acreage, Note # 4 meets the §4.1.22 (r) requirement.

The FSD approved on 12/18/99 was extended on 12/20/06 until 10/15/09.

The PFCP/Prelim. Environmental Assessment was conditionally approved on 11/19/08.

The final Forest Conservation Plan (FCP) and Landscape Plan must be approved prior to Planning Commission review of the Final Plat (§6.3.B(1)(a), Cecil County Forest Conservation Regulations). A Landscape Agreement must be executed prior to recordation.

Deed restrictions for the long-term protection of the Forest Retention/Afforestation Areas (FRAs) must be recorded and noted on the plat prior to recordation, with the metes and bounds description of the FRA being shown on the Final and Record Plats.

A Homeowners' Association for maintenance of any common open space must be established with \$50/recorded lot placed in escrow for improvements prior to recordation.

A 110' tidal wetland and tidal waters buffer shall be established in natural vegetation. This buffer shall be expanded to include contiguous sensitive areas featuring hydric soils, highly erodible soils on slopes greater than 15%, or areas of impact including streams, wetlands, or other aquatic environments.

No development is permitted in the tidal wetlands and tidal waters buffer, including septic systems, impervious surfaces, parking areas, roads, or structures.

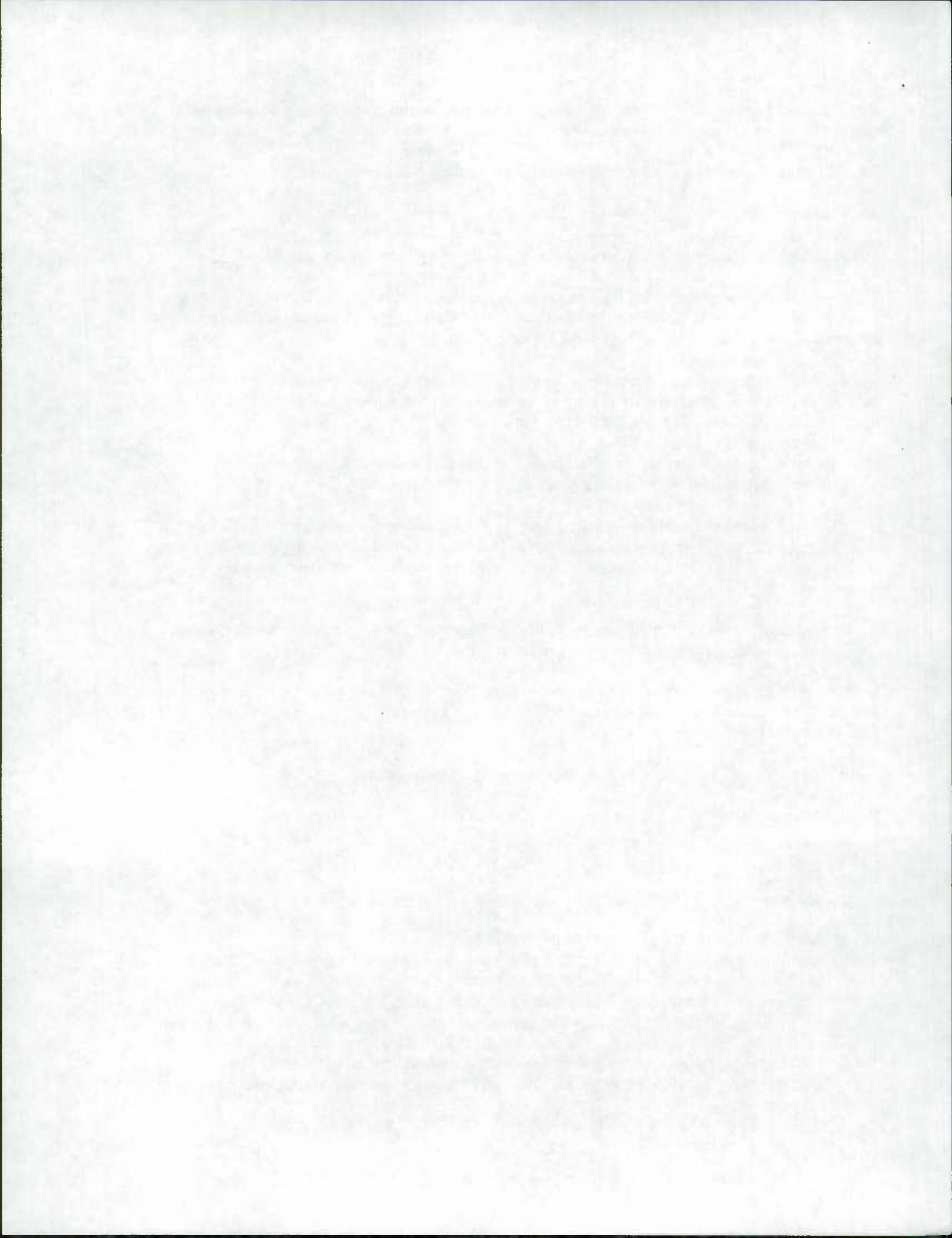
No more than 15% of the surface area can be converted to impervious surface in the RCA, and no more than 20% of the forest or developed woodland may be removed. In the critical area, no structure shall exceed 35' in height.

Additional comments were received from the Critical Area Commission on 12/5/08.

School information:	Elementary	Middle	High School
	Cecilton	Bo Manor	Bo Manor
FTE	328	478	733
Capacity	350	601	643
% Utilization	93%	80%	114%

Mr. Woodhull, DPW, read the comments of the department:

1. A SWM plan, Road & Storm Drain plan and a Mass and Final Grading plan must be approved by the CCDPW prior to submittal for Final Plat Approval.
2. As the Department stated at the June 6, and December 3, 2008 TAC meetings, preliminary plat submittals must identify pavement width and slope for the proposed road and also show proposed stormwater conveyance. The plat presented here does not contain this level of detail and the Department does not recommend approval. Mr. Woodhull added that the plat presented at the beginning of Mr. Scott's testimony does meet the requirements that the department set at both TAC meetings.



3. Has any consideration been given to how SWM quantity control will be addressed for this site? If a SWM pond or similar BMP is required it should be located in common open space. If it is on an individual lot language for all affected lots must be included in the deeds addressing rights and responsibilities of all parties.
4. Stormwater drainage easements must be identified for all conveyances run out side of the County ROW. These must be identified on the preliminary plat presented to the Planning Commission.
5. If the stormwater management plan involves the redirection of some or all the stormwater runoff of the site or concentrates the release of stormwater runoff in an offsite area that previously received non-concentrated flow permission (via easements or other property interests) where necessary must be obtained.
6. Why was the fee simple add-on proposed for Parcel 76, Lot 1 on the approved concept plat removed? How does this lot legally access the proposed road and what impact does this have on the proposed Lot 1?
7. The following standard notes and requirements apply to this plat and project: The details of these notes and requirements will be identified in the record but will not be read at this time:
 - 7.1 The Final Plat Lot Grading and the Lot Grading Plan Construction Limits Note.
 - 7.2 Compliance with Sections 251-9.A (5), 251-13, and 251-15.D. of the Cecil County Stormwater Management Ordinance.
 - 7.3 Requirements for Utility relocations.
 - 7.4 Requirements for Stormwater Inspection and Maintenance Agreements.
 - 7.5 Requirements for Public Works Agreement.
 - 7.6 Requirements for Driveways.

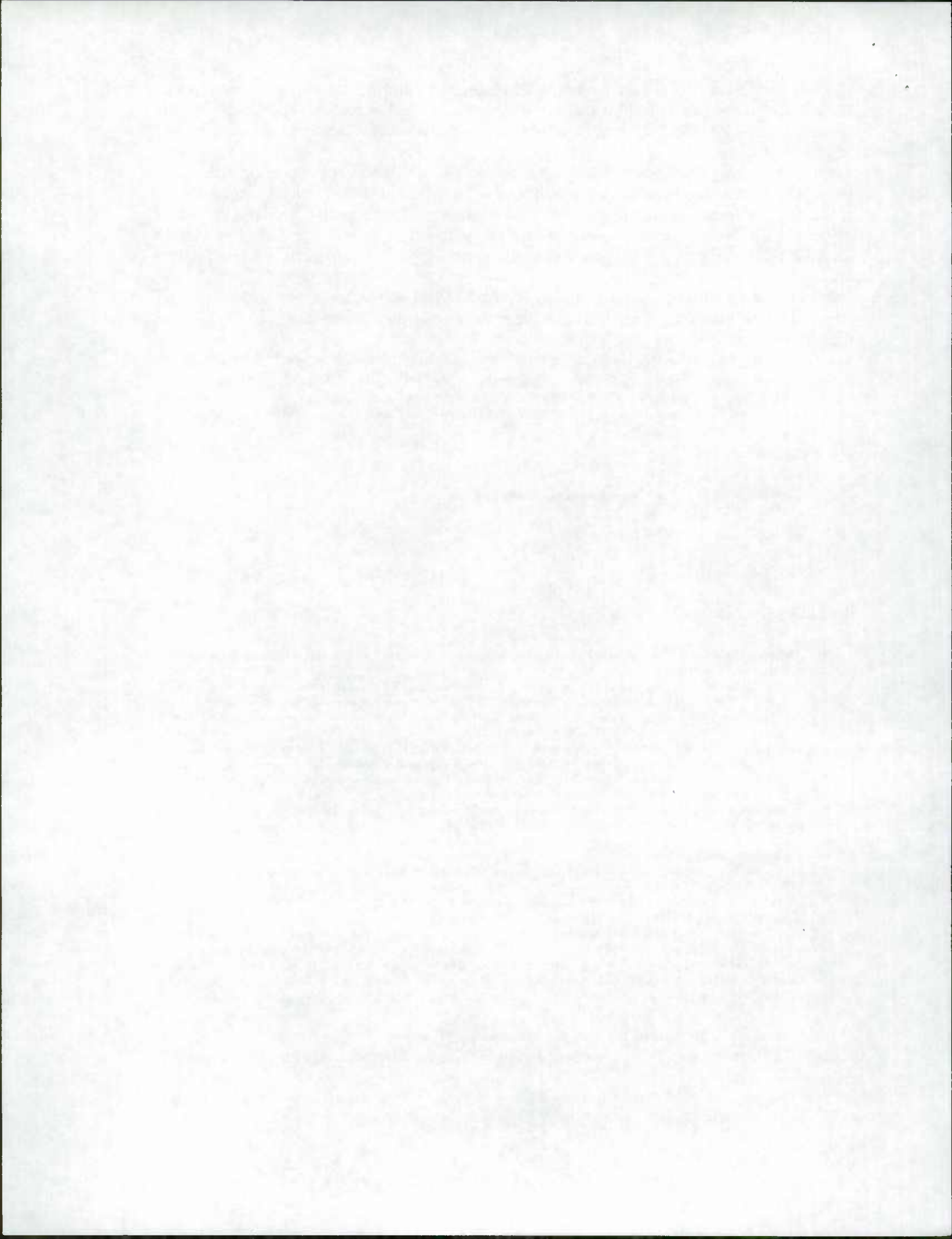
Notes and requirements identified for record:

1. The Final Plat must include the Lot Grading Plan standard note and the Lot Grading Plan must include the standard construction limits note.
 - a. *Final Plat: "A lot grading plan has been approved by the CCDPW for the construction shown hereon. A site construction as built shall be submitted to the CCDPW prior to use and/or occupancy of any of the sites shown hereon. Any change to the Forest Retention, Forestation, and/or Reforestation will require a consistency review, of the SWM approval, with CCDPW."*
 - b. *Grading Plan: "No clearing or grading is permitted beyond the limits of disturbance show hereon. Any expanded clearing and/or grading in the absence of an approved revised lot grading plan may be considered non-compliance with Chapter 251 of the Cecil County Code and either or both the developer and/or Builder may be subject to the enforcement of the penalty provisions therein."*
2. The downstream conveyance of storm water must be analyzed in accordance with Section 251-9 A. (5) of the county's SWM Ordinance. If stormwater discharge is directed off of the site on to adjacent property it is the responsibility of the Developer to obtain appropriate easements from the affected property owners per Sections 251-13 and 251-15.D of the Cecil County SWM Ordinance.
3. Where determined necessary by the utility companies, the owner, the designer, or DPW, utility poles must be relocated at the Developer's expense.
4. An Inspection & Maintenance Agreement is required for the private SWM facilities.
5. A Public Works Agreement is required for the road & storm drain work.
6. All driveways must be paved at least to the right of way. The driveway paving must be complete for all lots at the time when the surface course for the internal roads is installed. This requirement includes any vacant but platted lots. Any driveway exceeding 5% up-gradient-slope from the roadway must be paved to the crest. If the development is phased these requirements will apply to each phase when 80% of the lots are built-out. All of these requirements must be reflected on the Lot Grading Plan.

Mr. Wiggins read the comments of the Health Department:

A Groundwater Appropriation Permit has been issued by Maryland Department of the Environment.

Revise well locations on lots 2, 3 and 4 to avoid the need for a well variance. Adjust the sewage area on lot 4 to be on contour.



Sewage areas on lots 5 and 7 are not adequately defined by the existing perc holes. Either conduct additional percolation tests to adequately define the proposed sewage areas, or adjust the proposed sewage areas to better utilize the existing holes.

Houses on lots 2 and 4 must be 50' from sewage area when directly downslope. Two sewage areas are shown on lot 2. The sewage area with hole # 75 is not satisfactory without additional seasonal tests. Only show the acceptable sewage area.

Vice Chair Doordan asked if anyone would like to speak in favor or in opposition of this project. No one spoke.

Mr. Di Giacomo read the recommendation of the staff:

APPROVAL of proposed **Lots 1-4 ONLY**, conditioned on:

- 1) Health Department requirements being met;
- 2) DPW requirements being met;
- 3) All Critical Area details being clearly and fully provided on subsequent submittals;
- 4) All Critical Area Commission comments being fully addressed on subsequent submittals;
- 5) The street tree planting easement's being depicted on the Final Plat;
- 6) The FCP/Landscape Plan being approved prior to the submission of the Final Plat;
- 7) The issue of the proposed access easement across proposed Lot 1 being revisited prior to the submission of the Final Plat;
- 8) The Smith Creek Lane acreage being added to Note # 4 to meet the §4.1.22 (r) requirement prior to the submission of the Final Plat;
- 9) Deed Parcel lines being shown on all subsequent submittals; and
- 10) The SAR total acreage being corrected on all subsequent submittals.

A motion for approval of Lots 1-4 only with conditions was made by Mr. Janusz.
The motion was seconded by Mr. Wallace.

All approve. Motion carried.

7. Lands of Ronald and Sara King, Lots 1-4, Firetower Road, Final Plat, Will Whiteman Land Surveying, Inc., Sixth Election District.

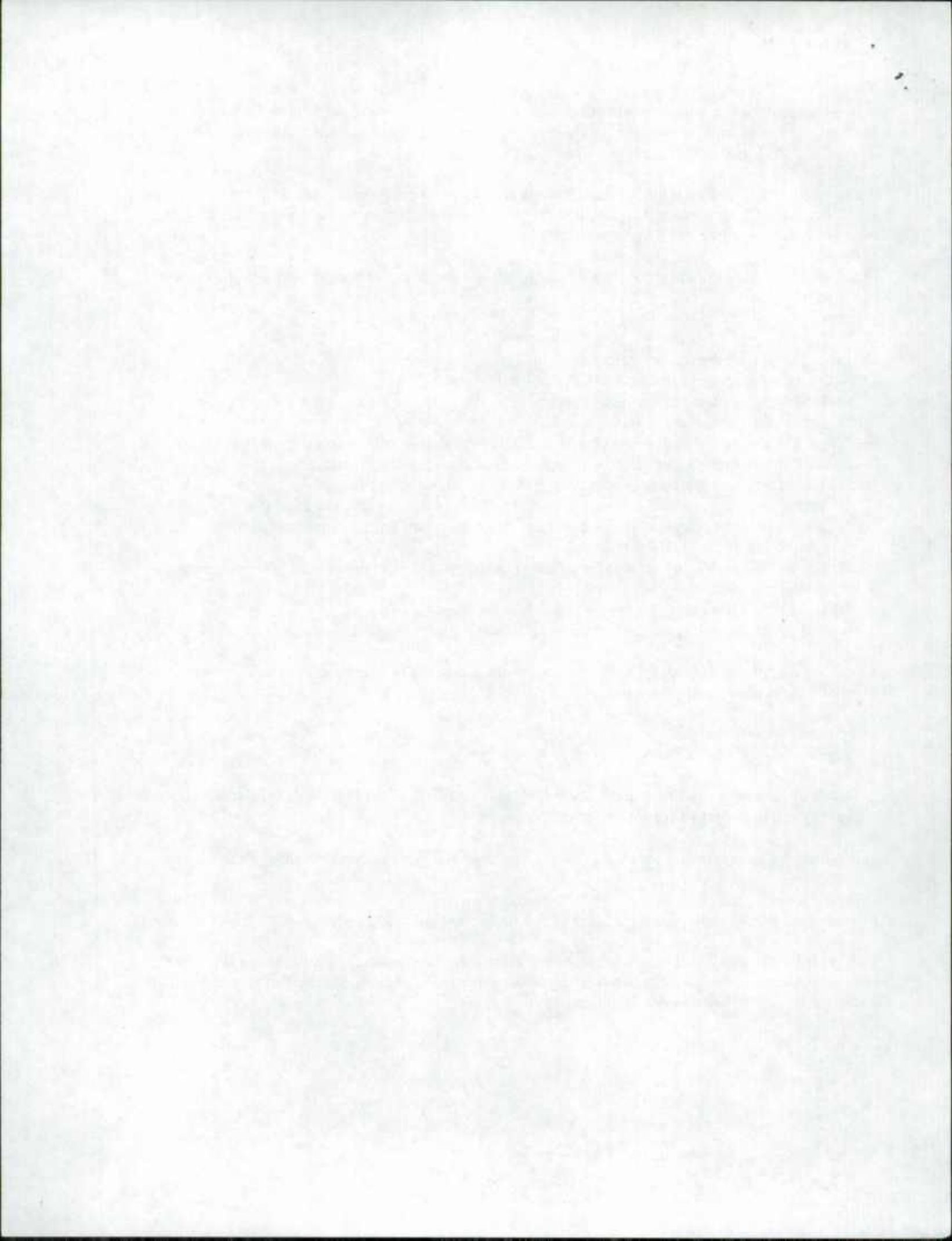
Will Whiteman, Surveyor and Sara King, owner, appeared and presented an overview of the project.

Mr. Di Giacomo, P&Z, read the comments of the department:

This proposal is in compliance with §3.8 & §3.9.1 regarding public notification.

With regard to the posting of plats on the County's website, notice is hereby given the jpg file submissions can be only 11 inches, maximum, in any direction. Adherence to that requirement will enable the County to better serve the public.

Zoning: NAR



12/3/08

P.C.

CECIL COUNTY TECHNICAL ADVISORY COMMITTEE
Wednesday December 3, 2008, 9:00 a.m.
County Administration Building
200 Chesapeake Blvd., Elk Room, Elkton, Maryland

Present: Di Giacomo, Tony (CCP&Z), Woodhull, Mark (CCDPW), von Staden, Fred (DEH), Davis, Gary (SHA), West, Janel (CCPS), Brown, Chris (CCSCS), Graham, Daniel (CR), Latham, Cindy (MDE), Meaders, David (FA), Bakeoven, Jennifer (CCP&Z).

Absent: Cwiek, Philip (USCoE), Ouano, Jun (Delmarva Power).

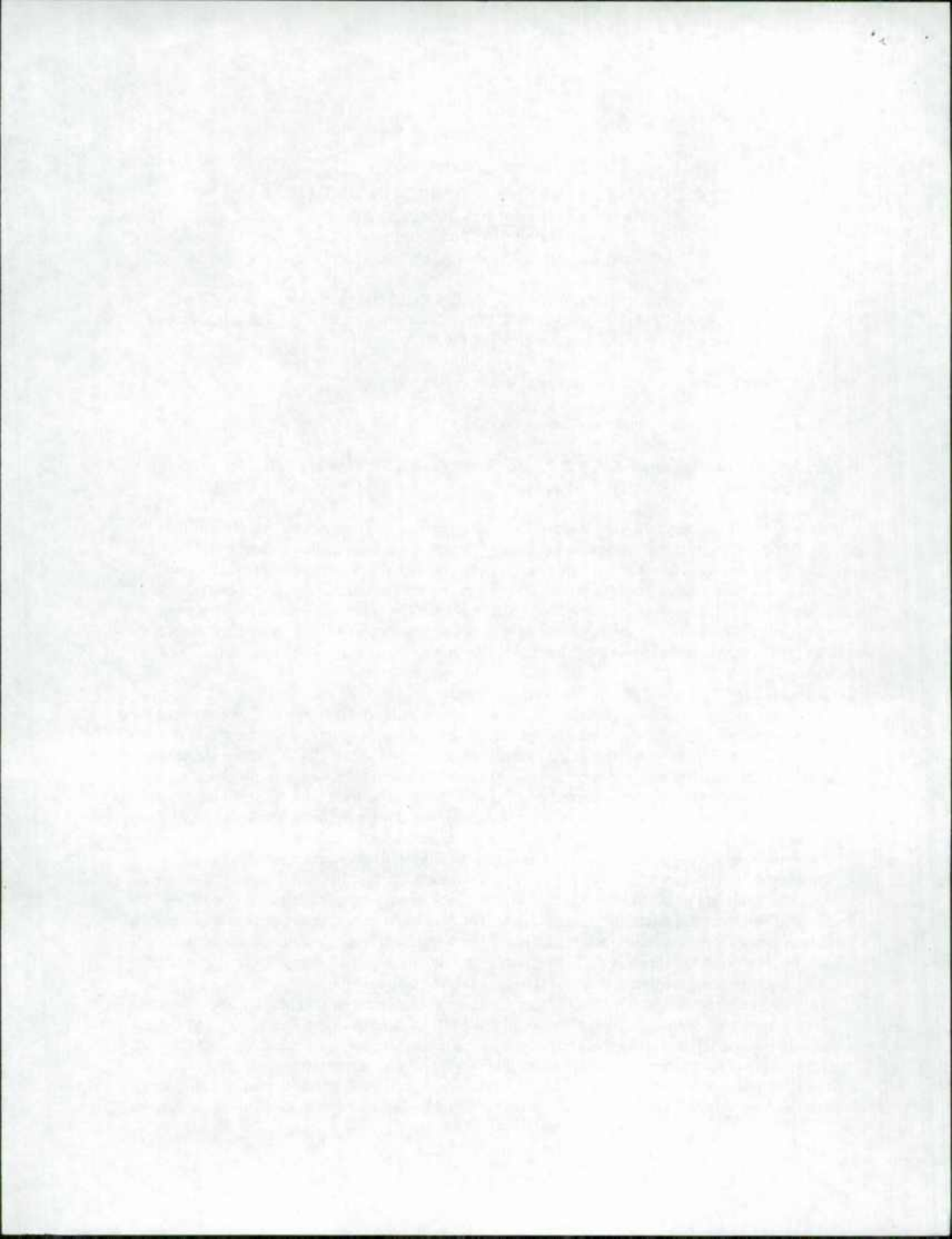
Mr. Di Giacomo called the meeting to order at 9:05 a.m.

1) Meadows Hideaway, Lots 1-5, 8, 9 & 11-16, Calvary Lane, Preliminary Plat, McCrone, Inc., Fifth Election District.

Don Sutton, McCrone, Inc. and Joe Meadows, owner, appeared and presented an overview of the project. Mr. Sutton stated that the remaining three (3) lots that were not included on this plat are awaiting additional wet season perc testing; they will be completed as soon as possible. They have gathered as much of the topography for the Calvary Lane road. The remaining, approximately 800' out to Goosemar Road was gathered from the USGS website. Mr. Sutton stated that they have not been able to gain access to that section of the road. They are currently working on the road plans and profiles for Calvary Lane based on the information they have. Those plans will be submitted today.

Mr. Woodhull, DPW, read the comments of the department:

1. The Department, as a policy, requires a project at the preliminary plat stage of development have an approved off site road improvements plan prior to Planning Commission review and that the plat contain by note or detail the scope of work agreed to by the Developer and the Department. In this particular case the 'off site road improvements' is defined to include proposed Calvary Lane improvements. No improvements plan has been submitted and this submittal lacks description of work associated with an approved off site road improvements plan. The department needs to see, in plan view and a profile, what is intended for Goosemar and reduction of the oververtical to get sight distance. A plan that shows the full extent of that work plus how the applicant would tie into the two driveways off of Goosemar across the opposite side of the street. Also, the applicant needs to show what, if any lay back or vegetative clearing is required outside the road bed to obtain adequate sight distance. The plan view should incorporate the information of how far, what gets reduced, how much paving gets done, etc. The department needs to see this information prior the Planning Commission's review of the Preliminary Plat. As such the Department will not recommend approval to the Planning Commission.
2. While the requirements to Improve Calvary Lane, from Goosemar to this property, to acceptable County standards & that the road with associated ROW is deeded to the BOCC of Cecil County are approved prior to recording the final plat the Department wants it made very clear to the Developer and the community, at this stage, that is what is being agreed to is achievable.
3. The sight distance measurements submitted for the Goosemar Road access appear to indicate that with a reduction of the oververtical curve acceptable sight distance measurements can be



What steps have been taken to satisfy the 8th condition of Concept Plat approval? Mr. Sutton said they have done as much of the topography out towards Goosemar as they could get; their access was restricted. They have taken information off of the USGS website and they will be submitting plans to the DPW showing the existing condition of Calvary Lane. Mr. Woodhull asked that applicant if any legal process been started to gain the access needed. Mr. Sutton said it appears they will have to deal with a court injunction to allow them access. Mr. Woodhull said DPW would want to see that they have access to get the pertinent information prior to Preliminary Plat review. Mr. Whittie, DPW, said he would like to make certain that what is on the plan is what is actually able to be constructed.

Access to common open space between lots must be marked with concrete monuments. A Homeowners' Association for maintenance of common open space must be established with \$50 per recorded lot placed in escrow for improvements prior to recordation.

For subdivisions proposed on property contiguous to operating farms, notice shall be provided on the plat that an agricultural operation is being conducted on a contiguous property and said agricultural operation is protected from nuisance claims provided the conditions of Article I, § 4 are being complied with.

This Preliminary Plat and a Concept Plat Extension request have already been submitted for the December 15, 2008 Planning Commission meeting. The applicant was reminded that if either the Concept Plat is extended or the Preliminary Plat being approved before hand, the Concept Plat shall expire on 12/18/08. At that point, the NAR zone's 1/10 density shall apply.

School information:	Elementary	Middle	High School
	Bay View	North East	North East
FTE	569	753	1084
Capacity	608	712	1009
% Utilization	94%	106%	107%

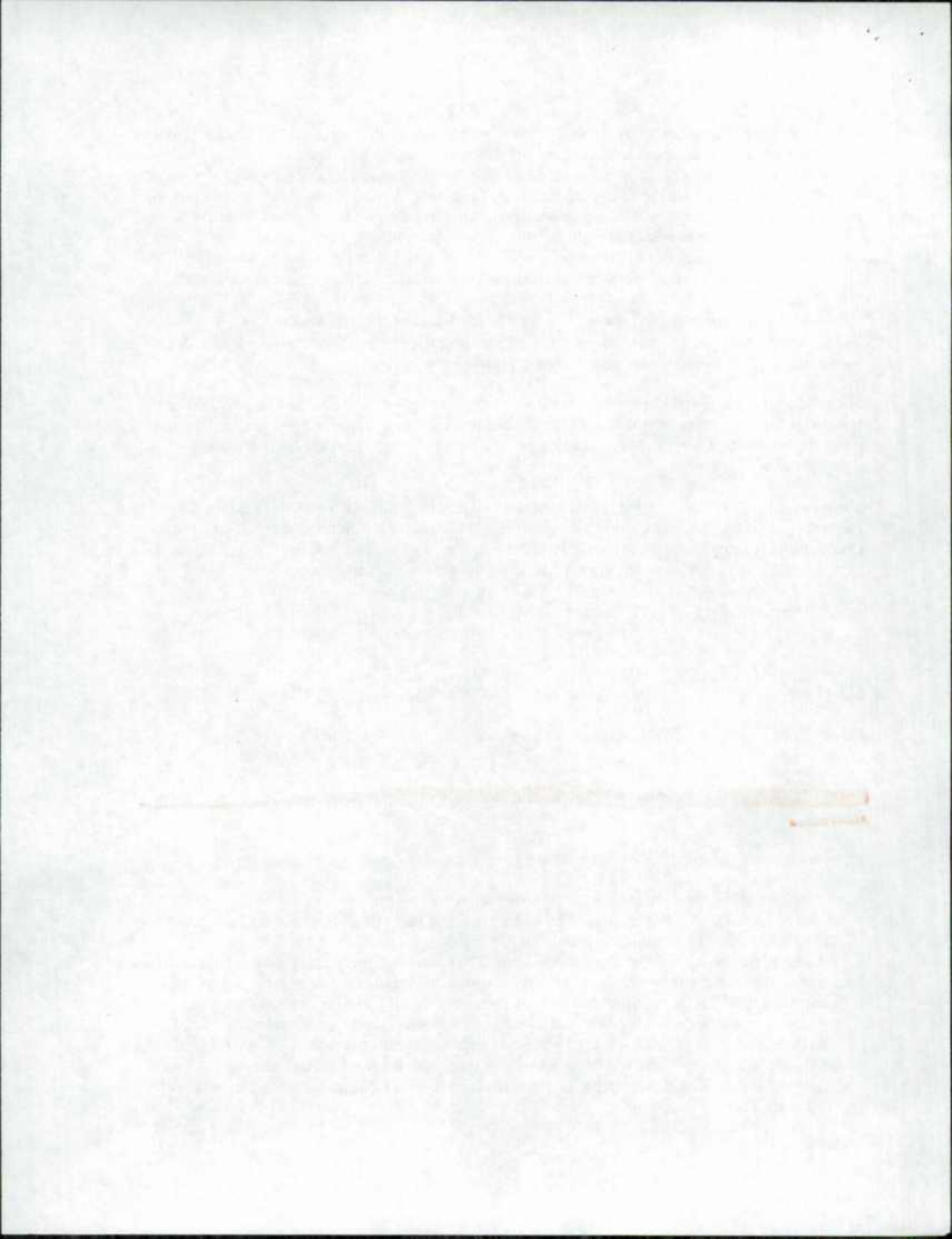
On behalf of Delmarva, Mr. Di Giacomo read the comments provided. See file.

2. Smith Creek II, Lots 1-7, Welders Lane, Preliminary Plat, Michael Scott, Inc., First Election District.

Mike Scott, surveyor, appeared and presented an overview of the project.

Mr. Woodhull, DPW, read the comments of the department:

1. A SWM plan, Road & Storm Drain plan and a Mass and Final Grading plan must be approved by the CCDPW prior to submittal for Final Plat Approval.
2. As the Department stated at the June 6, 2008 TAC meeting, preliminary plat submittals must identify pavement width and slope for the proposed road and also show proposed stormwater conveyance. With open section road this at a minimum would entail the roadside drainage ditches as well as conveyance to any SWM facility and/or to the creek that this site drains to. Why hasn't that been addressed on this submittal? Mr. Scott said that work is being handled by DMS. He was under the impression that everything was up to date; Mr. Scott will check the status. The plat presented to the Planning Commission must contain this level of detail or the Department will not recommend approval.



3. Has any consideration been given to how SWM quantity control will be addressed for this site? If a SWM pond or similar BMP is required it should be located in common open space. If it is on an individual lot language for all affected lots must be included in the deeds addressing rights and responsibilities of all parties. Mr. Scott said that DMS is handling this as well; he is unsure of the answer.
4. Stormwater drainage easements must be identified for all conveyances run out side of the County ROW. These must be identified on the preliminary plat presented to the Planning Commission.
5. If the stormwater management plan involves the redirection of some or all the stormwater runoff of the site or concentrates the release of stormwater runoff in an offsite area that previously received non-concentrated flow permission (via easements or other property interests) where necessary must be obtained.
6. Why was the fee simple add-on proposed for Parcel 76, Lot 1 on the approved concept plat removed? How does this lot legally access the proposed road? Mr. Scott said that will most likely change.
7. The following standard notes and requirements apply to this plat and project: The details of these notes and requirements will be identified in the record but will not be read at this time:
 - 7.1 The Final Plat Lot Grading and the Lot Grading Plan Construction Limits Note.
 - 7.2 Compliance with Sections 251-9.A (5), 251-13, and 251-15.D. of the Cecil County Stormwater Management Ordinance.
 - 7.3 Requirements for Utility relocations.
 - 7.4 Requirements for Stormwater Inspection and Maintenance Agreements.
 - 7.5 Requirements for Public Works Agreement.
 - 7.6 Requirements for Driveways.

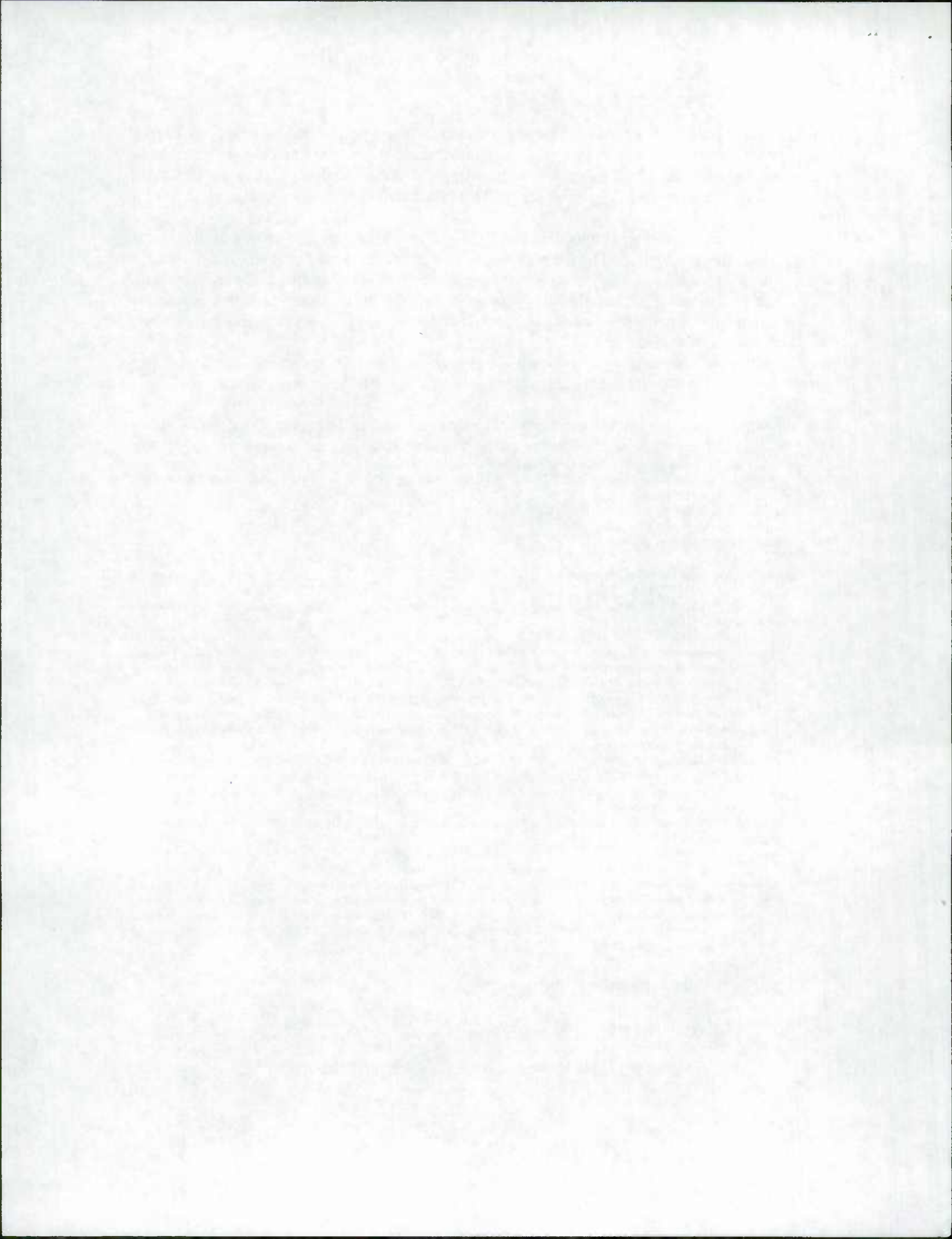
Notes and requirements identified for record:

1. The Final Plat must include the Lot Grading Plan standard note and the Lot Grading Plan must include the standard construction limits note.
 - a. *Final Plat: "A lot grading plan has been approved by the CCDPW for the construction shown hereon. A site construction as built shall be submitted to the CCDPW prior to use and/or occupancy of any of the sites shown hereon. Any change to the Forest Retention, Forestation, and/or Reforestation will require a consistency review, of the SWM approval, with CCDPW."*
 - b. *Grading Plan: "No clearing or grading is permitted beyond the limits of disturbance show hereon. Any expanded clearing and/or grading in the absence of an approved revised lot grading plan may be considered non-compliance with Chapter 251 of the Cecil County Code and either or both the developer and/or Builder may be subject to the enforcement of the penalty provisions therein."*
2. The downstream conveyance of storm water must be analyzed in accordance with Section 251-9 A. (5) of the county's SWM Ordinance. If stormwater discharge is directed off of the site on to adjacent property it is the responsibility of the Developer to obtain appropriate easements from the affected property owners per Sections 251-13 and 251-15.D of the Cecil County SWM Ordinance.
3. Where determined necessary by the utility companies, the owner, the designer, or DPW, utility poles must be relocated at the Developer's expense.
4. An Inspection & Maintenance Agreement is required for the private SWM facilities.
5. A Public Works Agreement is required for the road & storm drain work.
6. All driveways must be paved at least to the right of way. The driveway paving must be complete for all lots at the time when the surface course for the internal roads is installed. This requirement includes any vacant but platted lots. Any driveway exceeding 5% up-gradient-slope from the roadway must be paved to the crest. If the development is phased these requirements will apply to each phase when 80% of the lots are built-out. All of these requirements must be reflected on the Lot Grading Plan.

Mr. Meaders, FA, read the comments for the department. See file.

Mr. Graham, Citizen's Representative, had no comment.

Mr. Brown, CCSCS, provided the applicant with soil maps and reports. See file



Mrs. West, CCPS, provided the applicant with school capacity statistics and a copy of the Bus Stop Guidelines.

Ms. Latham, MDE, provided the applicant with a GAP exemption application.

Mr. Davis, SHA, had no comment.

Mr. von Staden, DEH, read the comments of the department:

A Groundwater Appropriation Permit exemption must be filed by Maryland Department of the Environment.

Houses on Lots 1-4 are shown on plat 2, but not plat 3. House on Lots 2 and 4 must be 50' from sewage area when directly downslope. Two sewage areas shown on Lot 2. The sewage area with hole # 75 is not satisfactory without additional seasonal tests. Only show the acceptable sewage area.

Sewage areas on Lots 5 & 7 are not adequately defined by the existing perc holes. Either conduct additional percolation test to adequately define the proposed sewage areas or adjust the proposed sewage areas to better utilize the existing holes.

On behalf of Delmarva Power, Mr. Di Giacomo read the comments provided. See file.

Mr. Di Giacomo, P&Z, read the comments of the department:

This proposal is in compliance with §3.8 & §3.9.1 regarding public notification.

With regard to the posting of plats on the County's website, notice is hereby given the jpg file submissions can be only 11 inches, maximum, in any direction. Adherence to that requirement will enable the County to better serve the public.

Zoning: SAR & RCA (Critical Area)

Density: The Concept Plat,⁵ proposing 8 lots, a reconfigured Lot 4, and the inclusion of Lot 5⁶ in the density calculation, on approximately 149.291 acres, for a density of 1:16.59,⁷ was approved on 12/21/06, conditioned on:

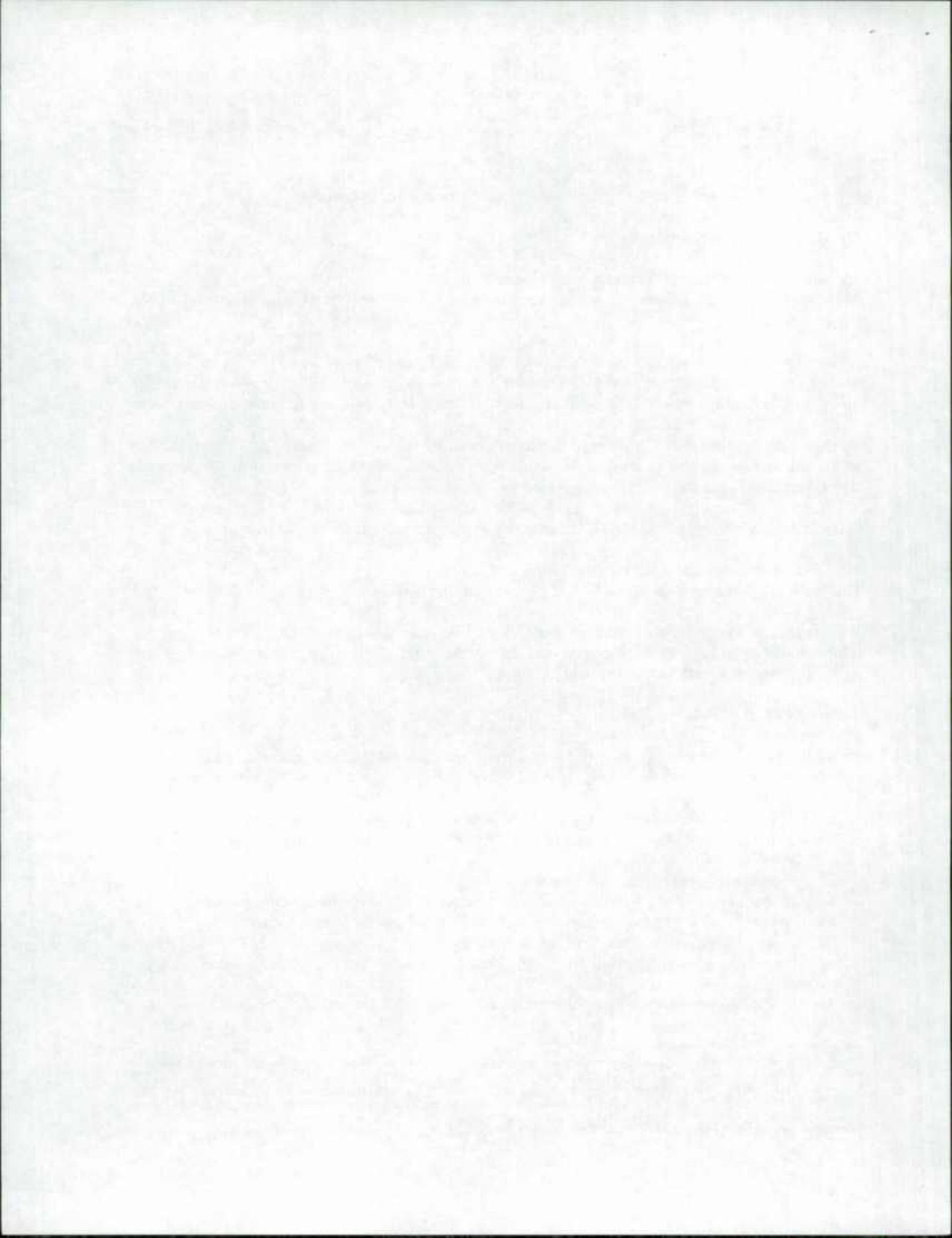
- 1) The boundary line survey being completed prior to the TAC's review of any Preliminary Plat;
- 2) Documentation of the JD's completion being submitted prior to the Planning Commission's review of the Preliminary Plat;
- 3) Acreage totals consistently agreeing with one another on any Preliminary Plat;
- 4) Any Preliminary Plat's title block accurately reflecting what is actually being proposed;
- 5) The PFCP and any preliminary environmental assessment being approved prior to the Planning Commission's review of the Preliminary Plat;
- 6) All road name being approved prior to the Planning Commission's review of the Preliminary Plat;
- 7) Any Preliminary Plat's tabular information accurately reflecting lots in the proposal; and

⁵ A previous Concept Plat for this portion of the property was approved on 8/19/02. A one year extension was granted of the concept plat on 8/16/04, and a subsequent one year extension was granted on 8/15/05. It was allowed to expire in August 2006.

⁶ As stated at the 2/22/00 Planning Commission meeting: "The dwelling on the proposed lot 5 must be located on the original Parcel 1 portion of the lot, not the Parcel 3 add-on piece. Therefore, lot 5 will be included in the density calculation for this and all future subdivision proposals for Parcel 1."

⁷ Those comments pertain to Lot 5 of Smith Creek.

⁷ SAR zone then permitted a base density of 1 du/ 8 ac. Today, it and the RCA overlay zone permit a density of 1 du/ 20 ac.



8) Misspellings being corrected on all future submissions.

This Preliminary Plat is generally consistent with the approved Concept Plat; however, the acreage and layout have changed and a resubdivision has created a revised Lot 4 on Deed Parcel 3, but no additional density was added to Deed Parcel 3. All of the new dwellings proposed are, and must be, on Deed Parcel 1.

Thus the Deed Parcel lines are critical and must be shown. The dwelling on Lot 5 of Deed Parcel 3 was moved back to within Deed Parcel 1, because the Deed Parcel 3 density had been, and remains, exhausted. Any plat submitted for review by the Planning Commission must show the Deed Parcel boundaries.

Likewise, the Critical Area boundaries are vitally important. Unfortunately, they have not been shown and/or have not been labeled on various sheets. Any plat submitted for review by the Planning Commission must be clearly shown and label the Critical Area boundaries.

Note # 4 indicates that there are now 144.941 total acres. Contrary to Note # 4, all 144.941 acres are zoned SAR. The 7 proposed new dwellings plus the Deed Parcel 3 Lot 5 dwelling yield a proposed density of 1/18.12. The cited, erroneous density of 1/10.157 must be revised on any plat submitted for review by the Planning Commission.

The stated RCA density of 1/34.77 is correct (3 lots on 104.312 acres). The applicant is reminded that if the Concept Plat approval is allowed to expire, the current SAR density limit of 1/20 shall apply.

The Lot Coverage calculations must be included and cannot exceed 15%.

Has a boundary line survey been completed? Mr. Scott said yes.

The expanded 110' Critical Area Buffer has been shown; it should be more clearly labeled.

In the Critical Area, forest clearing up to 20% must be replaced on a one to one basis. A height limitation of 35' is imposed in the Critical Area.

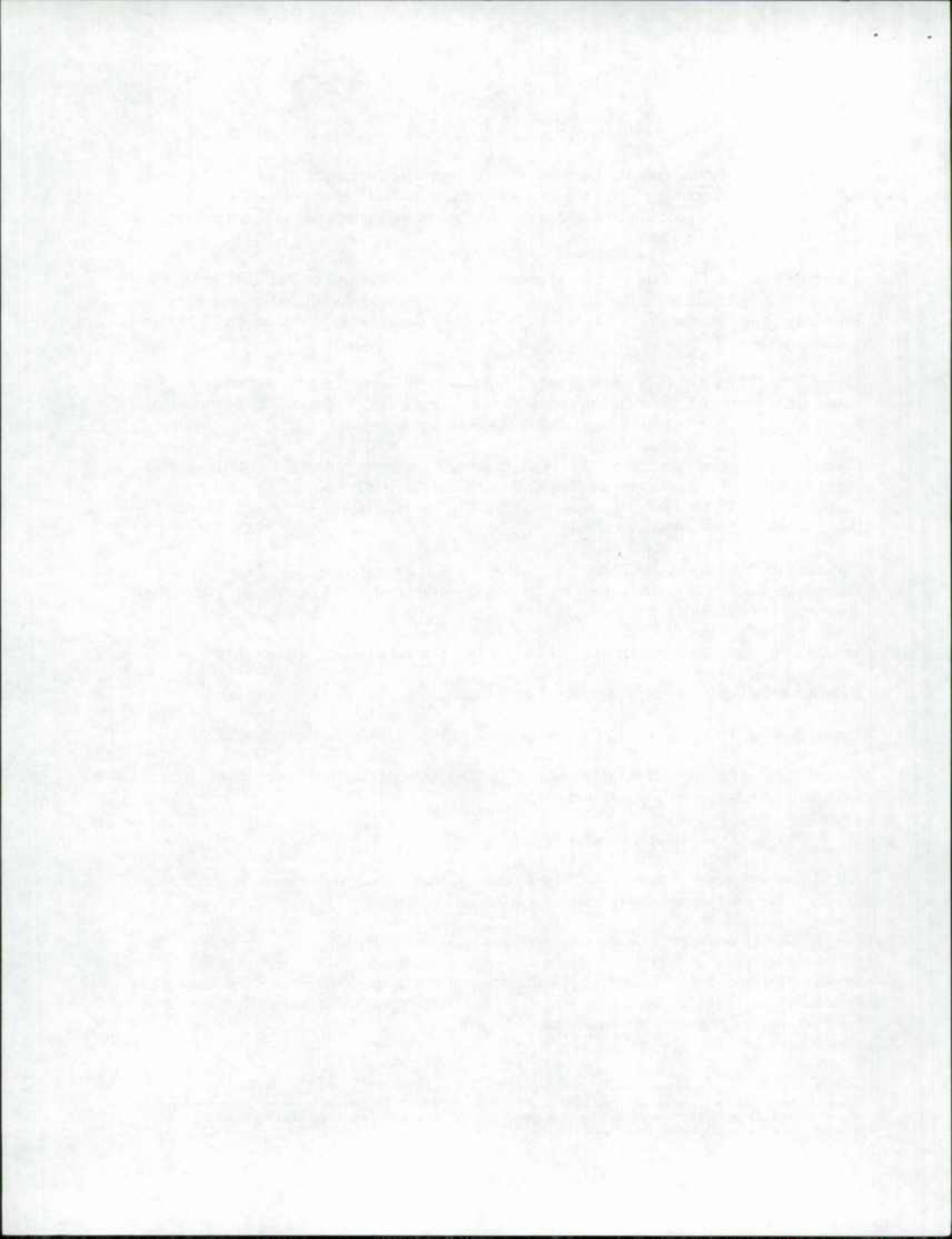
The Smith Creek Lane road name has been approved by DES.

A 0.141acre add-on to Lot 1 of Revised Minor Subdivision of J. Frank Skillman was proposed on the Concept Plat. What happened to it, and how will that lot be accessed?

The proposed access easement across proposed Lot 1 is not a good design.

Slopes > 25% need to be better graphically depicted. On slopes between 15 and 25%, good engineering practices shall be used to ensure sediment and erosion control and slope stabilization before, during and after disturbance activities.⁸

⁸ The Cecil County Subdivision Regulations define steep slopes as "15 percent or greater incline." The Cecil County Zoning Ordinance defines steep slopes as consisting of a grade of 25% or more covering a contiguous area of 10,000 ft² or more. The Cecil County Forest Conservation Regulations define steep slopes as "areas with slopes greater than 25 percent slope."



All streams

A 110' perennial stream buffer is required from all perennial streams present. This buffer shall be expanded to include contiguous areas of hydric soils, highly erodible soils, and soils on slopes greater than 15% -- to a maximum distance of 160'.

A 25' buffer is required around all non-tidal wetlands and intermittent streams present. Permits are required from the (US Army) Corps of Engineers and MDE for all non-tidal wetland and stream impacts prior to recordation. JD's are required in conjunction with permitting. If no permits are required, and if the proposed project meets the policy standards established on 3/20/95 and revised on 1/16/96, or if the FSD/Conceptual Environmental Assessment finds that there are to be no impacts to field-delineated wetlands or stream impacts, or if the FSD/Conceptual Environmental Assessment finds that there are no wetlands or streams and that finding is consistent with the details of County wetlands maps and USGS quad maps, then no JD is required. If required, then a JD is recommended to be done prior to Final Plat review by the Planning Commission, but required to be completed prior to recordation.

No common open space is required for 8 lots, & no landscaping is required in the SAR zone.

Rows of street trees with 10' planting easements are required, outside the right-of-way, along both sides of all internal roads. They have not been shown, as required.

Except for the Smith Creek Lane acreage, Note # 4 meets the §4.1.22 (r) requirement.

The FSD approved on 12/18/99 was extended on 12/20/06 until 10/15/09.

The PFCP/Prelim. Environmental Assessment was conditionally approved on 11/19/08.

The final Forest Conservation Plan (FCP) and Landscape Plan must be approved prior to Planning Commission review of the Final Plat (§6.3.B(1)(a), Cecil County Forest Conservation Regulations).

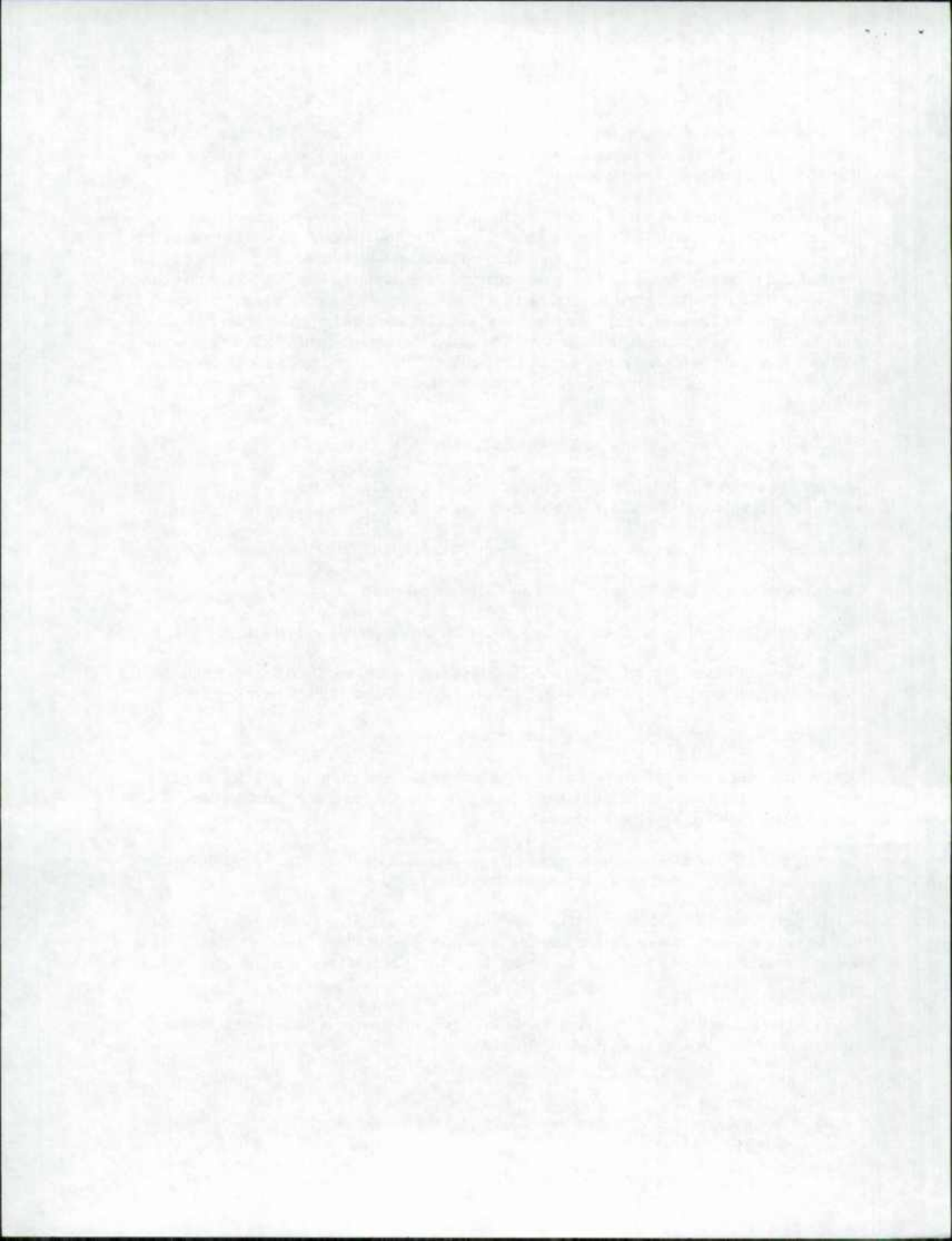
A Landscape Agreement must be executed prior to recordation.

Deed restrictions for the long-term protection of the Forest Retention/Afforestation Areas (FRAs) must be recorded and noted on the plat prior to recordation, with the metes and bounds description of the FRA being shown on the Final and Record Plats.

A Homeowners' Association for maintenance of any common open space must be established with \$50/recorded lot placed in escrow for improvements prior to recordation.

A 110' tidal wetland and tidal waters buffer shall be established in natural vegetation. This buffer shall be expanded to include contiguous sensitive areas featuring hydric soils, highly erodible soils on slopes greater than 15%, or areas of impact including streams, wetlands, or other aquatic environments.

No development is permitted in the tidal wetlands and tidal waters buffer, including septic systems, impervious surfaces, parking areas, roads, or structures.



No more than 15% of the surface area can be converted to impervious surface in the RCA, and no more than 20% of the forest or developed woodland may be removed. In the critical area, no structure shall exceed 35' in height.

The applicant is reminded that Concept approval is set to expire on 12/21/08. A submission has already been made for the 12/15/08 Planning Commission meeting, so a revised plat correcting deficiencies should be brought to that meeting. There is, however, no guarantee that the Planning Commission will consider anything other than what has been officially submitted.

School information:	Elementary	Middle	High School
	Cecilton	Bo Manor	Bo Manor
FTE	301	478	733
Capacity	350	601	643
% Utilization	86%	80%	114%

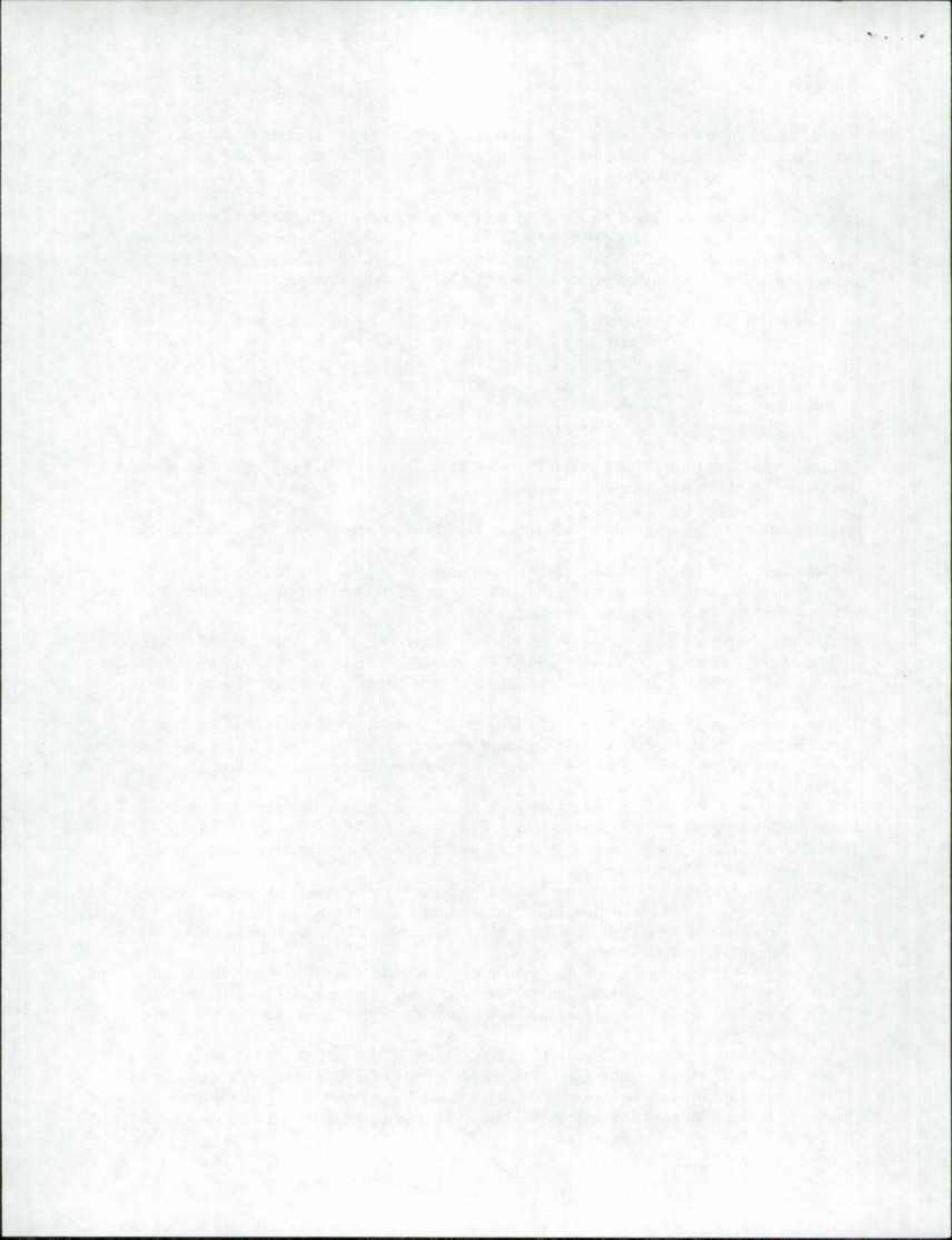
3. Cherrington, 380 Units, Blue Ball and Dogwood Road, Concept Plat, Van Cleef Engineering Associates, Third Election District.

Scott Lobdell, Van Cleef Engineering Associates, appeared and presented an overview of the project.

Mr. Woodhull, DPW, read the comments of the department:

The following comments are based on the site remaining un-annexed and that water & sanitary sewer service will be provided by Artesian Water Company:

1. A SWM plan, Road & Storm Drain plan, Sanitary Sewer plan, Water Distribution plan, and a Mass & Final Grading plan must be approved by the CCDPW prior to submittal for Final Plat Approval. The fees for design review of this project must be provided at the time of first design submittals.
2. The water system must accommodate fire flow requirements. Identify fire hydrant locations on the Preliminary Plat submitted to the Technical Advisory Committee (TAC) for review. Also submit the proposed fire hydrant locations to the serving fire company for their review & comment.
3. Easements for private water & sewer lines inside of County ROW must be provided and shown on the preliminary plat presented to the TAC for review.
4. Identify all SWM Access, Inspection & Maintenance, and drainage easements on the preliminary plat presented for TAC review.
5. The Department has a concern about where the discharge from the SWM pond adjacent to Bldg. No. 40. It appears that it will cross an adjoining property prior to reaching Dogwood Run. As such, make sure that you comply with all necessary requirements of Section 251-13 D of the Cecil County Storm Water Management Ordinance.
6. The proposed 380 apartments with the approximately 2,500 average daily trip ends they generate will greatly increase the traffic loading on Dogwood Road. Therefore a Traffic Impact Study (TIS) is required for this proposal as is a traffic count identifying current loading of Dogwood Road.
7. With the current condition of Dogwood Road and the traffic loading generated by the 380 units proposed the Developer will be required to provide a Protocol 2 road condition survey & road improvements plan for the full extent of Dogwood Road. This survey and road improvement plan must be approved by the DPW prior to the TAC review of the preliminary plat. At this time the



6/4/08

TAC

Capacity	615	775	903
% Utilization	133%	92%	125%

5. Smith Creek (f/k/a Lands of John Harrison), Lots 4A & 6-13, Welder's and Creek Lanes, Preliminary Plat, Welsh Engineering, First Election District.

Joe Welsh, Welsh Engineering, appeared and presented an overview of the project. Minor revisions have been made since the Concept Plat was approved. The minor revisions that the owner had asked for was to enlarge Lot 10 and Lot 7. FCP and the Environmental Assessment is being completed by Vortex Environmental. Mr. Welsh noted a typographical error on the plat that he submitted. Sheet one (1) should state the acreage as 149.29. Mr. Welsh stated the homes will have 3-4 bedroom homes, the price will be around \$500,000 +, the square footage will be around 2500 or larger. Lots 10 and 4A will be on the market quickly but the remainder of the lots will not be sold for some time.

Ms. Latham, MDE, said the GAP was already issued.

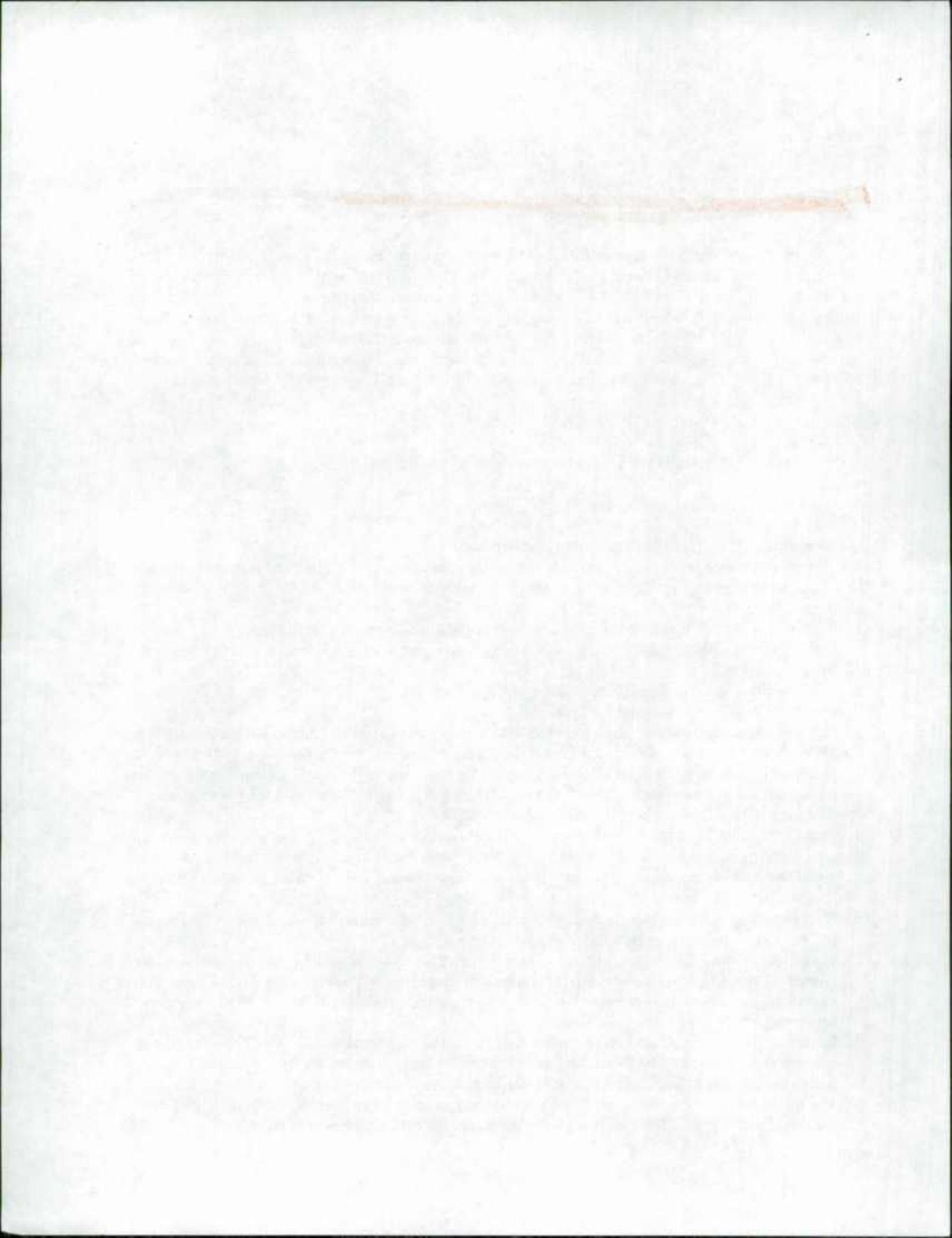
Mr. von Staden, DEH, read the comments of the department. See attached.

Mr. Graham, Citizen's Representative, had no comments.

Mr. Woodhull, DPW, read the comments of the department:

The extensive change in lot configuration between this submittal and the approved concept plat make this a more appropriate revised concept plat rather than a preliminary plat. With that said our comments are as follows:

1. You have a note referencing the road design & SWM plans being submitted to DPW for review. The Department last made comments to DMS Associates on 2/28/2007 and have had no response to date.
2. A SWM plan, Road & Storm Drain plan and a Mass and Final Grading plan must be approved by the CCDPW prior to submittal for Final Plat Approval.
3. Has any consideration been given to how SWM quantity control will be addressed for this site? If a SWM pond or similar BMP is required it should be located in common open space. If it is on an individual lot language for all affected lots must be included in the deeds addressing rights and responsibilities of all parties. Mr. Welsh said DMS was doing the work and they were showing forest retention areas to meet the requirements for SWM.
4. Preliminary plat submittals must identify pavement width and slope for the proposed road and also show proposed stormwater conveyance. With open section road this at a minimum would entail the roadside drainage ditches as well as conveyance to any SWM facility and/or to the creek that this site drains to.
5. Stormwater drainage easements must be identified for all conveyances run out side of the County ROW. This certainly appears to have impact on Lots 7, 9, & 11.
6. **If the stormwater management plan involves the redirection of some or all the stormwater runoff of the site or concentrates the release of stormwater runoff in an offsite area that previously received non-concentrated flow permission (via easements or other property interests) where necessary must be obtained.**
7. Why was the fee simple add-on proposed for Lot 1 (adjacent to proposed Lot 6) on the approved concept plat removed? Mr. Welsh said the owner asked him to remove it. How does Lot 1 legally access the proposed road? Mr. Welsh said Lot 1 has access by title onto Bohemia Church Road.
8. The following standard notes and requirements apply to this plat and project: The details of these notes and requirements will be identified in the record but will not be read at this time:



- 8.1 The Final Plat Lot Grading and the Lot Grading Plan Construction Limits Note.
- 8.2 Compliance with Sections 251-9.A (5), 251-13, and 251-15.D. of the Cecil County Stormwater Management Ordinance.
- 8.3 Requirements for Utility relocations.
- 8.4 Requirements for Stormwater Inspection and Maintenance Agreements.
- 8.5 *Requirements for Public Works Agreement.*
- 8.6 Requirements for Driveways.

Notes and requirements identified for record:

1. The Final Plat must include the Lot Grading Plan standard note and the Lot Grading Plan must include the standard construction limits note.
 - a. *Final Plat: "A lot grading plan has been approved by the CCDPW for the construction shown hereon. A site construction as built shall be submitted to the CCDPW prior to use and/or occupancy of any of the sites shown hereon. Any change to the Forest Retention, Forestation, and/or Reforestation will require a consistency review, of the SWM approval, with CCDPW."*
 - b. *Grading Plan: "No clearing or grading is permitted beyond the limits of disturbance show hereon. Any expanded clearing and/or grading in the absence of an approved revised lot grading plan may be considered non-compliance with Chapter 251 of the Cecil County Code and either or both the developer and/or Builder may be subject to the enforcement of the penalty provisions therein."*
2. The downstream conveyance of storm water must be analyzed in accordance with Section 251-9 A. (5) of the county's SWM Ordinance. If stormwater discharge is directed off of the site on to adjacent property it is the responsibility of the Developer to obtain appropriate easements from the affected property owners per Sections 251-13 and 251-15.D of the Cecil County SWM Ordinance.
3. Where determined necessary by the utility companies, the owner, the designer, or DPW, utility poles must be relocated at the Developer's expense.
4. An Inspection & Maintenance Agreement is required for the private SWM facilities.
5. A Public Works Agreement is required for the road & storm drain work.
6. All driveways must be paved at least to the right of way. The driveway paving must be complete for all lots at the time when the surface course for the internal roads is installed. This requirement includes any vacant but platted lots. Any driveway exceeding 5% up-gradient-slope from the roadway must be paved to the crest. If the development is phased these requirements will apply to each phase when 80% of the lots are built-out. All of these requirements must be reflected on the Lot Grading Plan.

Mr. Meaders, FA, stated that if the existing pond does not have a dry hydrant, it needs to have one. Please contact the local Fire Chief for input.

Mr. Di Giacomo provided the applicant with the comments from CCSCS, Delmarva Power and P&Z.

Mr. Di Giacomo, P&Z, read the comments of the department:

This proposal is in compliance with §3.8 & §3.9.1 regarding public notification.

With regard to the posting of plats on the County's website, notice is hereby given the jpg file submissions can be only 11 inches, maximum, in any direction. Adherence to that requirement will enable the County to better serve the public.

Zoning: SAR & RCA (Critical Area)

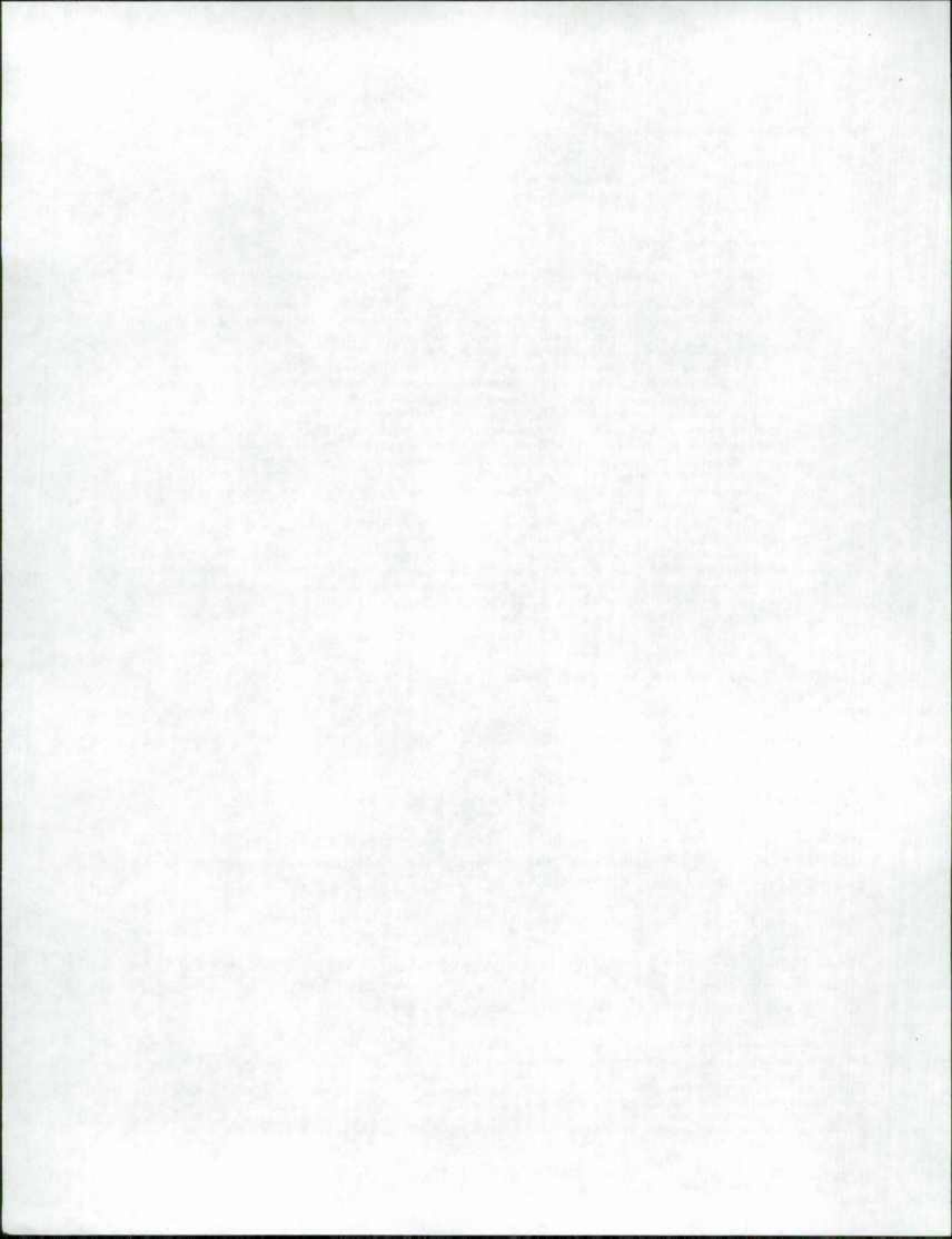
Density: The Concept Plat,²¹ proposing 8 lots, a reconfigured Lot 4, and the inclusion of Lot 5²² in the density calculation, on approximately 149.291 acres, for a density of 1:16.59,²³ was approved on 12/21/06, conditioned on:

²¹ A previous Concept Plat for this portion of the property was approved on 8/19/02. A one year extension was granted of the concept plat on 8/16/04, and a subsequent one year extension was granted on 8/15/05. It was allowed to expire in August 2006.

²² As stated at the 2/22/00 Planning Commission meeting: "The dwelling on the proposed lot 5 must be located on the original Parcel 1 portion of the lot, not the Parcel 3 add-on piece. Therefore, lot 5 will be included in the density calculation for this and all future subdivision proposals for Parcel 1."

Those comments pertain to Lot 5 of Smith Creek.

²³ SAR zone then permitted a base density of 1 du/ 8 ac. Today, it and the RCA overlay zone permit a density of 1 du/ 20 ac.



- 1) The boundary line survey being completed prior to the TAC's review of any Preliminary Plat;
- 2) Documentation of the JD's completion being submitted prior to the Planning Commission's review of the Preliminary Plat;
- 3) Acreage totals consistently agreeing with one another on any Preliminary Plat;
- 4) Any Preliminary Plat's title block accurately reflecting what is actually being proposed;
- 5) The PFCP and any preliminary environmental assessment being approved prior to the Planning Commission's review of the Preliminary Plat;
- 6) All road name being approved prior to the Planning Commission's review of the Preliminary Plat;
- 7) Any Preliminary Plat's tabular information accurately reflecting lots in the proposal; and
- 8) Misspellings being corrected on all future submissions.

§2.0 permits a combined Preliminary-Final Plat only if there are from 1 to 5 lots. Therefore, this "Preliminary-Final Plat" must be treated as a Preliminary Plat.

This Preliminary Plat is not consistent with the approved Concept Plat. The layout has changed, and an additional lot is now proposed in Deed Parcel 3²⁴, which cannot be permitted.

In addition, the 3rd condition of Concept Plat approval has not been met. The Site Statistics and Density Tabulation Tables cite 147.16 and 149.291 acres, respectively.

The Density Tabulation Table's statement of SAR permitted density is not correct, and must be changed. The applicant is reminded that if the Concept Plat approval is allowed to expire, the current SAR density limits shall apply.

The impervious area calculations do not indicate whether they are for the total area or the Critical Area portion. That must be clarified on any Planning Commission submission.

Note #12 suggests the boundary line survey has been completed. A signed and sealed copy must be submitted for the file; otherwise, that (1st) condition also has not been met.

Notes 4 & 5 are repeated as notes 6 & 7.

The sheet index on sheet 1 is inaccurate, and must be corrected prior to submission to the Planning Commission.

Three lots are proposed on 104.351 acres in the Critical Area portion of the property²⁵ for a proposed density of 1:34.78.

The expanded 110' Critical Area Buffer has been shown; it should be labeled as such.

An Environmental Assessment will need to be reviewed and approved prior to Planning Commission review of a Preliminary Plat (§4.1.23(h)).

In the Critical Area, forest clearing up to 20% must be replaced on a one to one basis. A height limitation of 35' is imposed in the Critical Area.

²⁴ Proposed Lots 7 & 8 have been combined, the access to proposed Lot 12 has changed location, what was to be added to Lot 4A and more is now proposed to be added to proposed Lot 11, and John Lane has been renamed Creek Lane.

²⁵ Proposed Lots 11, 12 & 13 are situated in the Critical Area, and each individually exceeds 20 RCA acres.

1875

The Creek Lane road name had been previously disapproved by DES.

A 0.141 acre add-on to Lot 1 of Revised Minor Subdivision of J. Frank Skillman was proposed on the Concept Plat. What happened to it, and how will that lot be accessed?

An access easement across proposed Lot 6, immediately adjacent to the Lot 6 driveway is not a good design.

Is the structure on proposed Lot 11 now existing or proposed, and is it a dwelling? Mr. Welsh said it is a storage building. What about the structures on 4A? Mr. Welsh said there is an existing home on that lot.

The add-on hooks depicting the portion of Lot 4 proposed to be added to proposed Lots 12 and 13 for their panhandles needs to show the direction of the proposed transfer.

"Steep slope areas" need to be specifically graphically depicted. On slopes between 15 and 25%, good engineering practices shall be used to ensure sediment and erosion control and slope stabilization before, during and after disturbance activities.²⁶

A 110' perennial stream buffer is required from all perennial streams present. This buffer shall be expanded to include contiguous areas of hydric soils, highly erodible soils, and soils on slopes greater than 15% -- to a maximum distance of 160'.

→ All streams

A 25' buffer is required around all non-tidal wetlands and intermittent streams present. Permits are required from the (US Army) Corps of Engineers and MDE for all non-tidal wetland and stream impacts prior to recordation. JD's are required in conjunction with permitting. If no permits are required, and if the proposed project meets the policy standards established on 3/20/95 and revised on 1/16/96, or if the FSD/Conceptual Environmental Assessment finds that there are to be no impacts to field-delineated wetlands or stream impacts, or if the FSD/Conceptual Environmental Assessment finds that there are no wetlands or streams and that finding is consistent with the details of County wetlands maps and USGS quad maps, then no JD is required. If required, then a JD is recommended to be done prior to Final Plat review by the Planning Commission, but required to be completed prior to recordation.

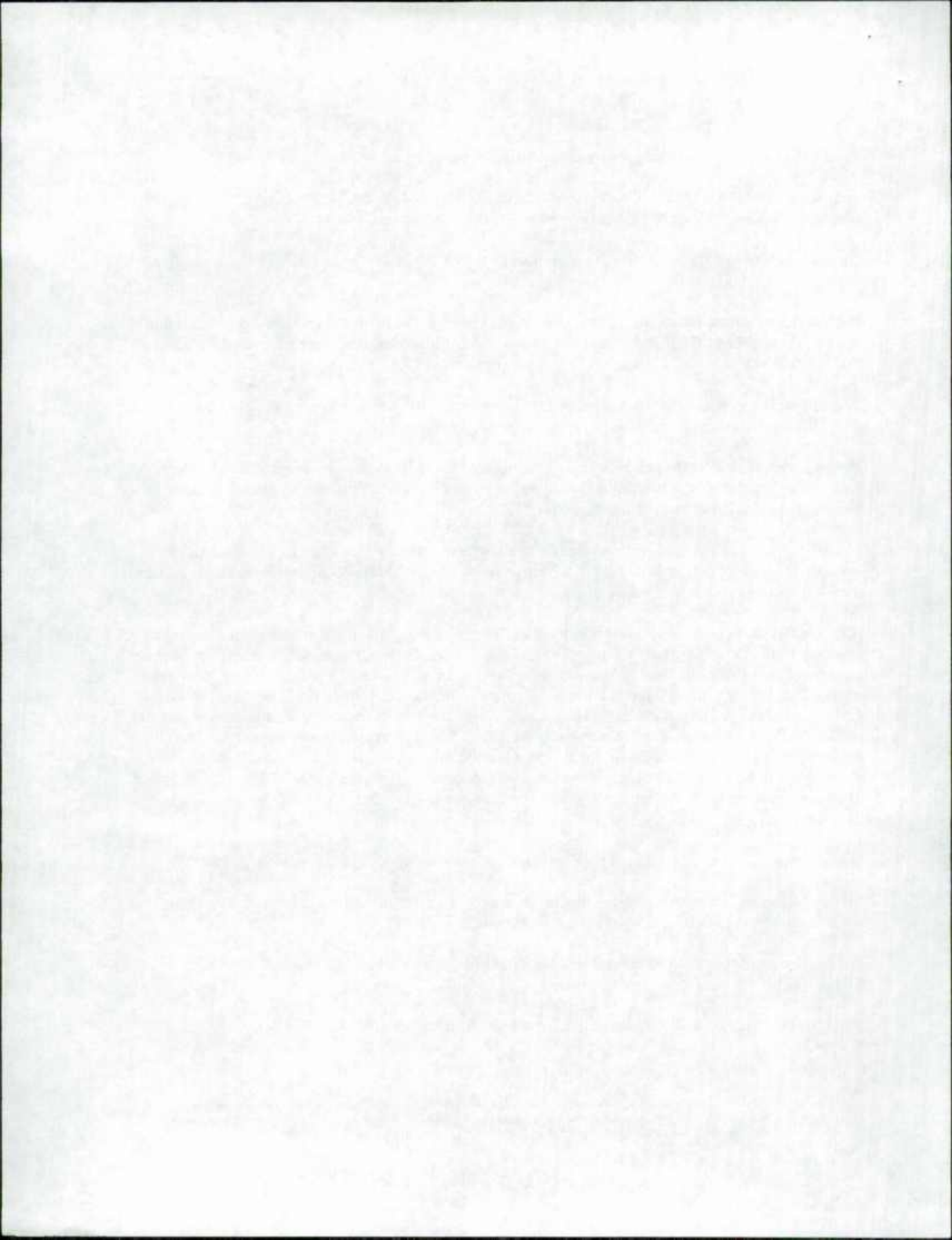
No common open space is required for 8 lots, and no landscaping is required in the SAR zone.

Rows of street trees with 10' planting easements are required, outside the right-of-way, along both sides of all internal roads. They have not been shown.

What is the acreage of the proposed Creek Lane, and why hasn't it been shown, consistent with §4.1.22 (r)?

The FSD approved on 12/18/99 was extended on 12/20/06 until 10/15/09.

²⁶ The Cecil County Subdivision Regulations define steep slopes as "15 percent or greater incline." The Cecil County Zoning Ordinance defines steep slopes as consisting of a grade of 25% or more covering a contiguous area of 10,000 ft² or more. The Cecil County Forest Conservation Regulations define steep slopes as "areas with slopes greater than 25 percent slope."



What is the status of the PFCP & Preliminary Environmental Assessment, which must be approved prior to the Planning Commission's review of the Preliminary Plat (§4.1.23(h))? Mr. Welsh said Vortex is presently working on it.

The final Forest Conservation Plan (FCP) and Landscape Plan must be approved prior to Planning Commission review of the Final Plat (§6.3.B(1)(a), Cecil County Forest Conservation Regulations).

A Landscape Agreement must be executed prior to recordation.

Deed restrictions for the long-term protection of the Forest Retention/Afforestation Areas (FRAs) must be recorded and noted on the plat prior to recordation, with the metes and bounds description of the FRA being shown on the Final and Record Plats.

A Homeowners' Association for maintenance of any common open space must be established with \$50/recorded lot placed in escrow for improvements prior to recordation.

A 110' tidal wetland and tidal waters buffer shall be established in natural vegetation. This buffer shall be expanded to include contiguous sensitive areas featuring hydric soils, highly erodible soils on slopes greater than 15%, or areas of impact including streams, wetlands, or other aquatic environments.

No development is permitted in the tidal wetlands and tidal waters buffer, including septic systems, impervious surfaces, parking areas, roads, or structures.

No more than 15% of the surface area can be converted to impervious surface in the RCA, and no more than 20% of the forest or developed woodland may be removed. In the critical area, no structure shall exceed 35' in height.

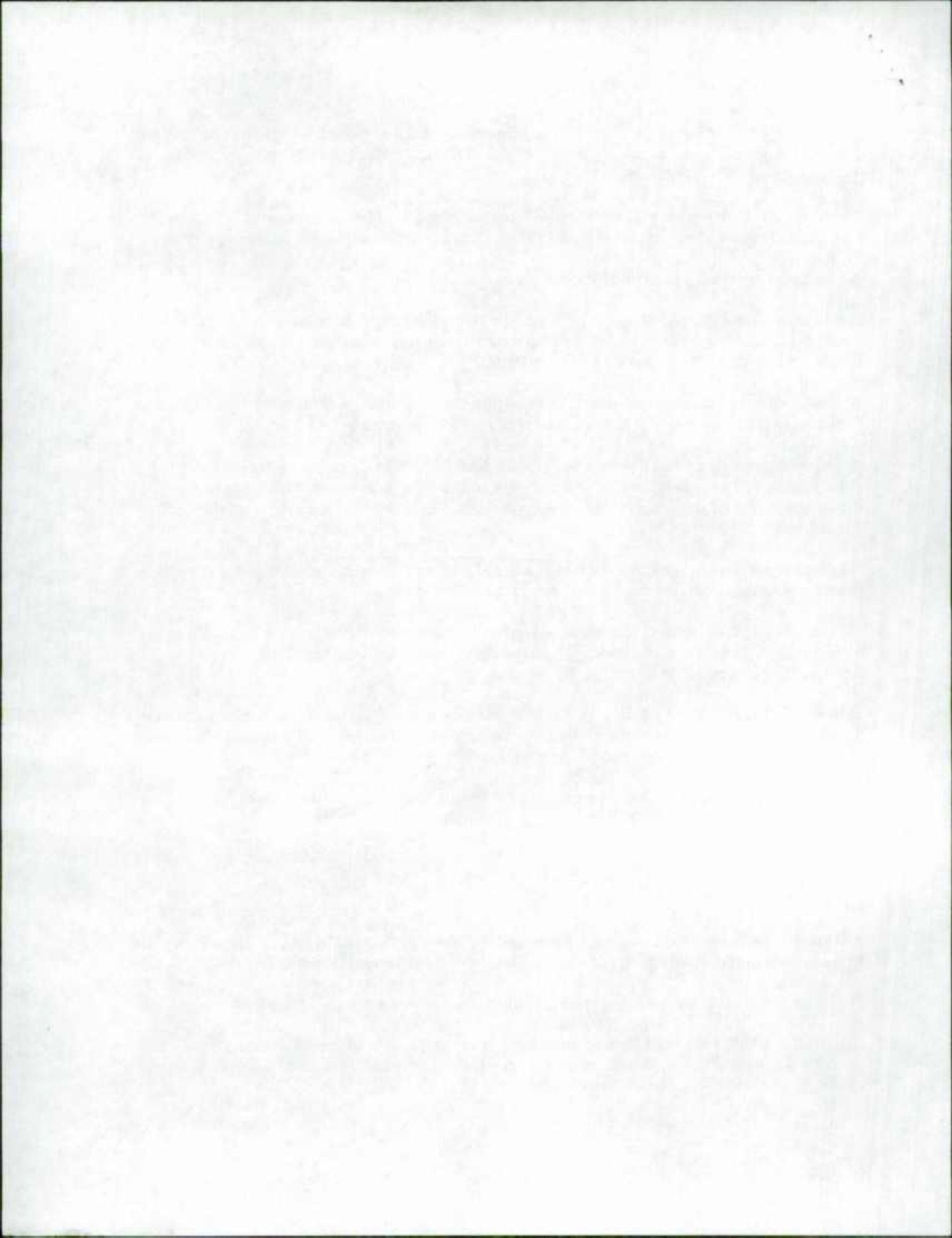
This proposal must come back to TAC prior to going on to the Planning Commission (particularly because of the proposed additional lot on Deed Parcel 3 and the disapproved proposed road name). The applicant is reminded that Concept approval is set to expire on 12/21/08.

School information:	Elementary	Middle	High School
	Cecilton	Bo Manor	Bo Manor
FTE	306	513	717
Capacity	295	-----1244-----	
% Utilization	104%	99%	99%

6. Woodlands Perryville, Courtesy Review for the Town of Perryville, M.U.D., Site Plan, MD Rte. 40, Preliminary Plat, Morris & Ritchie Associates, Inc., Seventh Election District.

Mr. Di Giacomo asked if there was a representative from the town present. No one spoke.

Doug Hill and Bruce Vanhorn, Town Point Development, appeared and presented an overview of the project. Through a public design process, input from county residents and Town of Perryville residents.



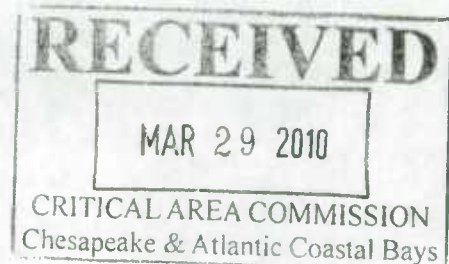
**PRELIMINARY
FOREST CONSERVATION PLAN AND CRITICAL AREA
ENVIRONMENTAL ASSESSMENT
FOR
SMITH CREEK II
(Lots 1 – 3)**

1st Election District
Cecil County, Maryland

Prepared for:
Mr. John R. Harrison
J.R. Harrison, LLC.
896 Nottingham Road
Elkton, MD 21921

Prepared by:
Vortex Environmental, Inc.
521 Beaver Valley Pike
Lancaster, PA 17602
(717) 509-3934 FAX (717) 509-2789

March 15, 2010



The following information satisfies the requirements of the Preliminary Forest Conservation Plan (PFCP) subject to Cecil County Forest Conservation Regulations. The procedures described in the Cecil County Forest Conservation Regulations were used in the preparation of the PFCP. This report also addresses the requirements for development within the Chesapeake Bay Critical Area. The Cecil County Office of Planning and Zoning requires that all applicants proposing development within the critical area provide the required environmental information to comply with Sections 2 and 9 of the Cecil County Chesapeake Bay Critical Area Program, and Section 4.1.23 of the Cecil County Subdivision Regulations. The Smith Creek II (Lots 1 – 3) is a proposed three (3) lot residential subdivision which contains a total of 145.438 acres, including 41.126 acres of non-critical area (SAR zoning) and 104.312 acres of RCA critical area. These acreages are taken from the preliminary subdivision plans prepared by Michael A. Scott, Inc.

The current landowner, J.R. Harrison, LLC, intends to retain the three proposed building lots for the foreseeable future. Since these lots will be retained by the current landowner, the 41.126 acres of non-critical area land would be exempt from the forest conservation regulations under Section 3.2K. The future sale of these lots within five (5) years of the plan approval would require forest conservation approval. Even though the project would currently be exempt from the forest conservation regulations, the non-critical area portion of the property will still be discussed in this narrative and attached plan.

The seven (7) submittal requirements of the PFCP include the Forest Stand Delineation, Forest Conservation Worksheet, Forest Conservation Map, Anticipated Construction Timetable, Forest Protection Plan, Reforestation / Afforestation Plan, and additional supporting documentation. Each of these requirements are discussed below. This Preliminary Forest Conservation Plan (PFCP) will address both the 41.126-acre SAR zoning and 104.312-acre RCA critical area portions of the Smith Creek II (Lots 1 – 3) subdivision.

Approved Forest Stand Delineation

The Forest Stand Delineation and Conceptual Critical Area Environmental Assessment for the Smith Creek II (Lots 1 – 3) subdivision was prepared by Biota, Inc. An extension to this FSD approval was granted in October of 2009.

Forest Conservation Worksheet

The Forest Conservation Worksheet for the Smith Creek II (Lots 1 – 3) subdivision is located in Appendix A of this report. The subdivision contains a total of 145.438 acres including, 41.126 acres of SAR zoning and 104.312 acres of RCA critical area. The forest conservation worksheet addresses the 41.126 acres of SAR zoning only.

The proposed subdivision consists of a three (3) lot residential subdivision. The majority of the proposed construction (dwellings, wells, and septic) are located within the RCA portion of the property, although the driveways for all three proposed lots are proposed through the SAR

zoning. There is 4.09 acres of existing forest within the non-critical area portion of the property, this entire acreage will be preserved as forest retention. The forest conservation worksheet indicates that 4.14 acres of afforestation would be necessary to meet the forest conservation requirements for this portion of the property. As indicated earlier, at the current time the landowner is retaining these three lots for himself, and therefore they would be exempt from the forest conservation requirements under Section 3.2K. At the current time no afforestation or reforestation is proposed, but if the lots were to be sold in the next five years, then the lots would need to come into compliance with the forest conservation regulations and the afforestation requirements would become necessary.

The RCA critical area contains a total of 76.328 acres of existing forest and 6.982 acres of private tidal wetlands. These two areas are combined into Forest Retention Area 2 for a total of 83.31 acres. The 76.328 acres of existing forest represents 73% of the entire RCA area. The RCA critical area on the Smith Creek II (Lots 1 - 3) subdivision contains more than enough existing forest to eliminate the need for any afforestation. The three proposed development envelopes (dwellings, wells, septic, etc.) are all located within the mowed hayfield portions of the RCA critical area, except for the septic disposal area on Lot 3. This septic disposal area is located within the existing forest and proposed forest retention area. The existing septic disposal area for Lot 3 is located in an area that contains the convergence of several existing trails and a small clearing. Based on the field investigations, it appears an existing septic disposal area can be conducted within this area without clearing any trees and the sewer line from the proposed dwelling can run within one of these existing trails. As part of the Final Forest Conservation Plan and Critical Area Environmental Assessment an instrument survey will be used to identify all the trees in this vicinity and validate that no forest clearing is necessary for the proposed septic disposal system. No forest clearing is proposed within the 104.312 acre RCA critical area, and therefore no critical area reforestation/afforestation is necessary.

The proposed subdivision will preserve a total of 87.40 acres in forest retention, including 4.09 acres of non-critical area forest and 83.31 acres of critical area forest. The critical area forest retention area includes 6.982 acres of private tidal wetlands. These wetlands are located along the eastern and northern fringe of the existing forest adjacent to the Little Bohemia Creek.

The enclosed PFCP and Critical Area Environmental Assessment Plan (Appendix C) shows the location of the proposed forest retention areas, which includes a total of 87.40 acres in one large block.

Forest Conservation Map

The requirements for the Preliminary Forest Conservation Plan include forest retention areas, reforestation areas, afforestation areas, protective devices, limits of disturbance, and stockpile areas. The Smith Creek II (Lots 1 - 3) subdivision will require forest retention areas, protective devices, limits of disturbance, and stockpile areas to be designated; the other requirements will

not be applicable to this submission. These requirements are indicated on the Preliminary Forest Conservation Plan and Critical Area Environmental Assessment Plan (Appendix C).

Anticipated Construction Timetable

The anticipated construction timetable for the implementation of this project is unknown at this time, as there are no current plans to sell the proposed lots.

Forest Protection Plan

A forest protection plan is designated on this project to preserve and protect the 87.40 acres of existing forest and private tidal wetlands on the proposed subdivision. The forest retention areas will be protected by a protective easement and permanent signage. Portions of the forest retention area adjacent to the proposed construction will be protected by a two strand nylon barrier tape fence. Prior to construction this fencing will be installed adjacent to the proposed dwellings, septic disposal areas, and driveways on Lots 1 - 3. This fence will also serve as the limit of disturbance for the subdivision. Protective signage will be posted in visible locations along the boundary of the forest retention areas.

Mr. John R. Harrison of J.R. Harrison, LLC. will be responsible for the implementation of the forest protection plan.

FOREST RETENTION PLAN

SITE NAME: Smith Creek II (Lots 1 - 3) Subdivision

LOCATION: Welders Lane, First Election District, Cecil County, Maryland

PREPARED BY: Vortex Environmental, Inc.

DATE PREPARED: 3/15/10

CONTACT PERSON: Mr. John R. Harrison, J.R. Harrison, LLC. 896 Nottingham Road, Elkton, MD 21921

ACREAGE OF FOREST RETENTION: 87.40 acres of mixed deciduous forest (includes 4.09 acres of non-critical area forest, 76.328 acres of critical area forest, and 6.982 acres of private tidal wetlands)

SITE ASSESSMENT: Mixed deciduous forest along the Little Bohemia Creek

CRITICAL AREA NARRATIVE

It is the opinion of Vortex Environmental, Inc. that the proposed development of the Smith Creek II (Lots 1 - 3) subdivision will not have an adverse impact to the environmental characteristics of the Chesapeake Bay Critical Area. A total of 104.312 acres of RCA critical area is located within the eastern and northern portions of this property, adjacent to the Little Bohemia Creek. This RCA acreage includes mowed hayfields, mixed deciduous forest, and private tidal wetlands. The proposed subdivision includes three (3) building lots located partially within the RCA acreage; Lots 1 - 3. All three lots will be accessed via individual driveways from Welders Lane. The building envelope for all three (3) proposed lots and the proposed driveways are located within the mowed hayfield portions of the RCA critical area. No disturbance to the existing forest, private tidal wetland areas, or shoreline is proposed by this subdivision.

WETLANDS

Vortex Environmental, Inc. has conducted a wetland assessment on the Smith Creek II (Lots 1-3) subdivision, including the RCA critical area. The assessment identified private tidal wetlands along the eastern and northern boundaries of the subdivision, adjacent to the Little Bohemia Creek. The attached plans show the approximate boundary of these private tidal wetlands. The vegetation within these wetlands included broad-leaved cattail, phragmites, speckled alder, red maple, smartweed, reed canary grass, woolgrass, bulrush, and sedges. The proposed dwellings and associated infrastructure within the RCA critical area will not disturb these tidal wetlands, nor their associated buffers. The large tidal wetland complex adjacent to the Little Bohemia Creek will be protected and preserved by a large contiguous forest retention area along the hillsides adjacent to this wetland complex. No waterfront development is proposed for this subdivision. The proposed subdivision will not have a negative impact to the functions and values of the existing wetlands within the RCA critical area.

FOREST COVER

The Smith Creek II (Lots 1 - 3) subdivision contains a total of 87.40 acres of forest, including 76.328 acres of critical area forest. The existing forest represents 73% of the existing land cover within the RCA critical area. No forest clearing is proposed within the RCA critical area. All existing forest will be preserved within the Forest Retention Areas. No reforestation is proposed for the RCA critical area. The existing mixed deciduous forest contains a variety of tree and shrub species including tulip poplar, red oak, white oak, American beech, red maple, chestnut oak, hickory, sassafras, black walnut, osage orange, black oak, tree of heaven, red cedar, musclewood, flowering dogwood, multiflora rose, greenbriar, and wincherry.

The Wildlife and Heritage Service has determined that the forested areas on the project site may contain Forest Interior Dwelling Bird habitat (Appendix D). No forest clearing is proposed as part of this subdivision, and any FIDS habitat within the RCA critical area will be preserved within the proposed Forest Retention Areas.

BUFFERS

The RCA critical area in the eastern and northern portions of the Smith Creek II (Lots 1 – 3) subdivision contains a perennial watercourse, Little Bohemia Creek, which flows from south to north along the eastern and northern boundaries of the subdivision. A private tidal wetland is located adjacent to the Little Bohemia Creek within the RCA critical area. There is also a small intermittent watercourse (unnamed tributary to Little Bohemia Creek) that flows from west to east into the Little Bohemia Creek within the southeastern corner of the subdivision. The Little Bohemia Creek, private tidal wetlands, and intermittent watercourse will all be protected by a 110' critical area buffer (expanded where necessary for steep slopes, hydric soils, highly erodible soils, etc.). The critical area buffer and expanded buffer shown on the attached plans (Appendix C) was prepared by Michael A. Scott, Inc. These buffers will provide water quality benefits to the wetlands and watercourses, as well as limiting human activity within these resources.

THREATENED AND ENDANGERED SPECIES

A background data search was submitted to the Maryland Wildlife and Heritage Service for the Smith Creek II (Lots 1 – 3) subdivision (Appendix D). The Maryland Wildlife and Heritage Service, operated in conjunction with the Maryland Department of Natural Resources, is a site specific information system which describes significant natural resources of Maryland. It includes data descriptive of plant and animal species of special concern, exemplary natural communities, and unique geological features.

The Wildlife and Heritage Service does indicate an occurrence of the state-listed rare Salt-marsh Bulrush (*Scirpus schoenoplectus novae-angliae*) on the project site. The habitat for this species is certainly present within the tidal marsh area along the eastern and northern boundaries of the subdivision. The letter also indicates the possibly presence of three additional species; Parker's Pipewort, Spongy Lophotocarpus, and Lake-bank Sedge. These three species also inhabit similar marsh habitat as the Salt-marsh Bulrush, and habitat for these three species would also be present within the marshy areas and exposed mud flats along the eastern and northern boundaries of the subdivision. There are no proposed impacts to this tidal wetland complex and proposed forest retention area provides a large protective buffer between the tidal wetland complex and any proposed earth disturbance. All proposed construction activities (except for the septic disposal area on Lot 3) are located within the mowed hayfield portions of the property. None of these wetland plant species will be impacted by the proposed subdivision.

WILDLIFE HABITAT

The Little Bohemia Creek along the eastern and northern boundaries of the Smith Creek II (Lots 1 – 3) subdivision is designated as a known historic waterfowl concentration areas. There are no proposed impacts to the Little Bohemia Creek or any of its tributaries or associated tidal wetlands. The creek and its tributaries will be protected by the expanded critical area buffer and a large block of contiguous forest retention area. The proposed development envelopes for the three lots are situated within the mowed hayfield areas on the property, and no forest clearing is proposed. The proposed subdivision has avoided impacts to all potential open water, tidal wetland and upland forest habitats on the subdivision. Proposed site improvements will only occur within the cultivated agricultural fields of the property. No impacts are anticipated to the private tidal wetlands, Little Bohemia Creek, or any historic waterfowl concentration areas.

ANADROMOUS FISH PROPAGATION WATERS

The Little Bohemia Creek is an anadromous fish propagation waters for a variety of fish species. Little Bohemia Creek is located to the east and north of the project site. No other perennial watercourses were observed within the subdivision, and the intermittent watercourse in the southeastern portion of the property is too small and lacks suitable hydrology to support anadromous fish habitat. The proposed three (3) lot residential subdivision does not involve any direct or indirect impacts to the Little Bohemia Creek. The proposed Smith Creek II (Lots 1 – 3) will have no negative effects on the anadromous fish propagation waters in the adjacent Little Bohemia Creek.

SUBMERGED AQUATIC VEGETATION

Any submerged aquatic vegetation within the Little Bohemia River will not be impacted by the proposed development. No new construction or structures are proposed on or along either watercourse as part of this project.

SUMMARY

A total of three (3) proposed building lots are proposed for the Smith Creek II (Lots 1- 3) subdivision. A portion of each proposed lot is located within the boundaries of the RCA critical area on the subdivision. The vast majority of the proposed site improvements (dwellings, roadways, infrastructure, etc.) will occur within the mowed hayfield portions of the property, with the exception of the septic disposal area for Lot 3, which is proposed for a small existing clearing in the forest. No water dependent or waterfront construction or impacts are proposed as part of this subdivision. The existing forest and other natural habitats within and adjacent to the RCA critical area will be preserved by this proposed subdivision.

The Cecil County Chesapeake Bay Critical Area Program provides three criteria on which development project approvals should be based. To minimize adverse impacts on water quality

that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands; Conserve fish, wildlife and plant habitat; and Accommodate growth while addressing the fact that even if pollution is controlled, the number, movement, and activities of persons in the Critical Area can create adverse environmental impacts.

The only new development within the critical area is located within currently disturbed areas (mowed hayfield), all existing forested areas and natural habitats will be preserved. The proposed stormwater management plan for the critical area portion of the Smith Creek II (Lots 1 – 3) subdivision will include water quantity as well as water quality controls. No new waterfront construction is proposed along the Little Bohemia Creek or any of its tributaries, therefore any fisheries, waterfowl staging areas, or submerged aquatic vegetation will not be impacted by the subdivision.

Although the proposed subdivision will slightly increase the number of people in the proximity to the critical area habitats, the impact will be minimal. Only three (3) new building lots are proposed on the entire 145.438-acre property. If the property was developed intensely, a total of seven (7) building lots could be proposed within or immediately adjacent to the RCA critical area.

Any future improvements or construction within the RCA Critical Area would require complete conformance to all provisions of the Cecil County Chesapeake Bay Critical Area Program and the Cecil County Subdivision Regulations.

Appendix A

Forest Conservation Worksheet

Appendix B

Protective Signage and Temporary Fencing Details

Appendix C

Preliminary Forest Conservation and Critical Area Environmental Assessment Plan

Appendix D

Maryland Wildlife and Heritage Service Review Letter

FOREST CONSERVATION WORKSHEET

NET TRACT AREA:

A. Total tract area.....=	41.13
B. Area within 100 year floodplain=	0.00
C. Area to remain in agricultural production.....=	0.00
D. Net tract area.....=	41.13

LAND USE CATEGORY: (from table 3.2.1, page 40, Manual)

Input the number "1" under the appropriate land use zoning, and limit to only one entry.

ARA	MDR	IDA	HDR	MPD	CIA
1	0	0	0	0	0

E. Afforestation Threshold.....	20%	x D =	8.23
F. Conservation Threshold.....	50%	x D =	20.57

EXISTING FOREST COVER:

G. Existing forest cover (excluding floodplain).....=	4.09
H. Area of forest above afforestation threshold=	0.00
I. Area of forest above conservation threshold=	0.00

BREAK EVEN POINT:

J. Forest retention above threshold with no mitigation.....=	0.00
K. Clearing permitted without mitigation.....=	0.00

PROPOSED FOREST CLEARING:

L. Total area of forest to be cleared.....=	0.00
M. Total area of forest to be retained.....=	4.09

PLANTING REQUIREMENTS:

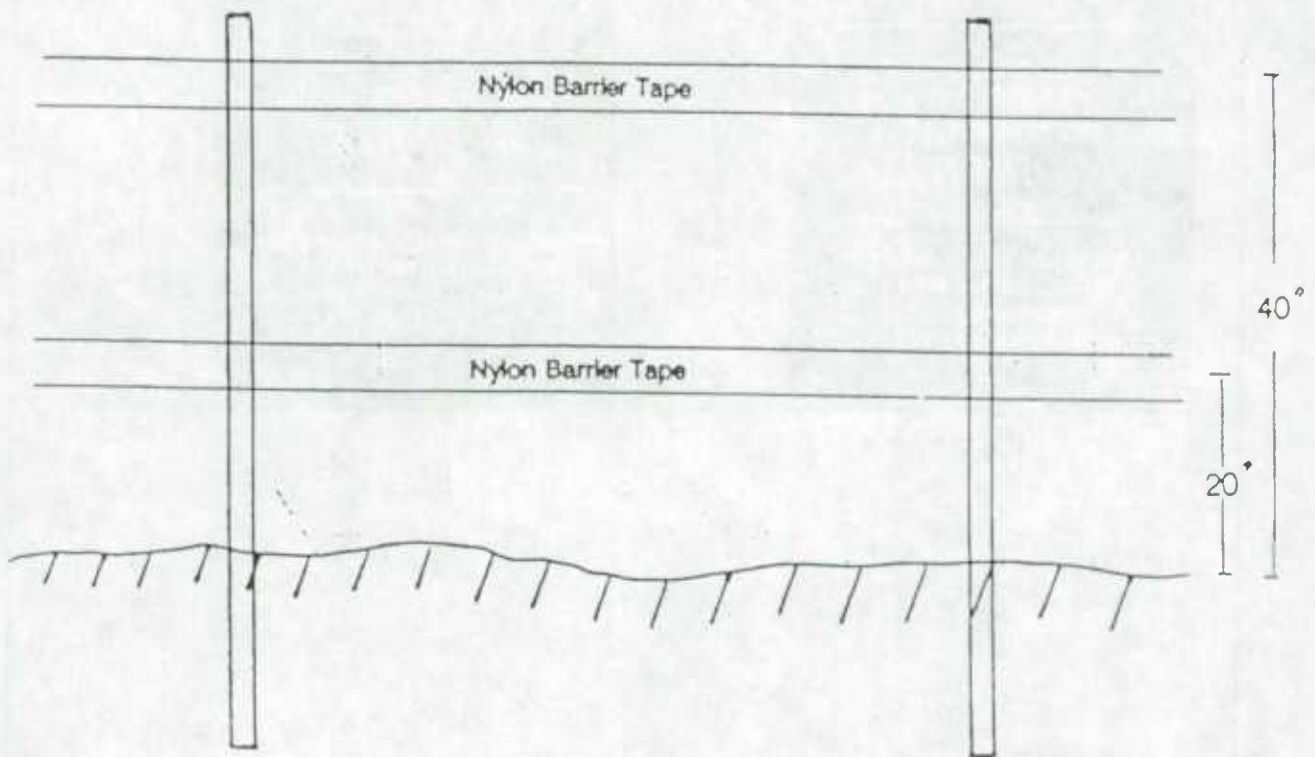
N. Reforestation for clearing above conservation threshold...=	0.00
P. Reforestation for clearing below conservation threshold...=	0.00
Q. Credit for retention above conservation threshold.....=	0.00
S. Total afforestation required.....=	4.14
T. Total reforestation and afforestation required.....=	4.14

Temporary Protective Fencing Detail

Two Strand Nylon Barrier Tape

Notes:

1. Anchor posts should be a minimum of 2" steel "U" channel or 2" x 2" timber 6' in length.
2. The maximum length between the posts is 6 feet.
3. Anchor posts must be installed to a depth of no less than 1/3 the total height of the post.
4. The nylon barrier tape must be placed in two strands approximately 20" and 40" from the ground.
5. The nylon barrier tape may be wrapped around existing trees, where available.



Protective Signage Detail

Figure J-7

Signage





MARYLAND
DEPARTMENT OF
NATURAL RESOURCES

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

November 19, 2009

Mr. Bradley J. Gochnauer
Vortex Environmental, Inc.
521 Beaver Valley Pike
Lancaster, PA 17602

RE: Environmental Review for Smith Creek II Subdivision, Welders Lane north of Bohemia Church Road, Cecil County, Maryland.

Dear Mr. Gochnauer:

The Wildlife and Heritage Service's database records indicate that there is a record for state rare Salt-marsh Bulrush (*Scirpus schoenoplectus novae-angliae*) located on the project site, in intertidal fringe marsh habitat. Any activities proposed for this project site should adequately buffer such habitat in order to protect this important native plant species. If appropriate habitat is available, other RT&E species could be present on the site without documentation because adequate surveys have not been conducted. Records for the following RT&E species that are located within close proximity to the project site are:

<u>Scientific Name</u>	<u>Common Name</u>	<u>State Status</u>
<i>Eriocaulon parkeri</i>	Parker's Pipewort	Threatened
<i>Sagittaria calycina</i>	Spongy Lophotocarpus	Rare
<i>Carex lacustris</i>	Lake-bank Sedge	Rare

It is also important to note that the utilization of state funds, or the need to obtain a state authorized permit may warrant additional evaluations that could lead to protection or survey recommendations by the Wildlife and Heritage Service. If this project falls into one of these categories, please contact us for further coordination.

Our analysis of the information provided also suggests that the forested area on the project site contains Forest Interior Dwelling Bird habitat. Populations of many Forest Interior Dwelling Bird species (FIDS) are declining in Maryland and throughout the eastern United States. The conservation of this habitat is mandated within the Chesapeake Bay Critical Area and must be addressed by the project plan. Specifically, if FIDS habitat is present, the following guidelines should be incorporated into the project plan:

1. Restrict development to nonforested areas.
2. If forest loss or disturbance is unavoidable, concentrate or restrict development to the following areas:
 - a. the perimeter of the forest (i.e., within 300 feet of existing forest edge)
 - b. thin strips of upland forest less than 300 feet wide
 - c. small, isolated forests less than 50 acres in size
 - d. portions of the forest with low quality FIDS habitat, (i.e., areas that are already heavily fragmented, relatively young, exhibit low structural diversity, etc.)
3. Maximize the amount of forest "interior" (forest area >300 feet from the forest edge) within each forest tract (i.e., minimize the forest edge:area ratio). Circular forest tracts are ideal and square tracts are better than rectangular or long, linear forests.

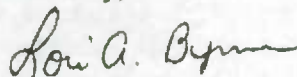
4. Minimize forest isolation. Generally, forests that are adjacent, close to, or connected to other forests provide higher quality FIDS habitat than more isolated forests.
5. Limit forest removal to the "footprint" of houses and to that which is necessary for the placement of roads and driveways.
6. Minimize the number and length of driveways and roads.
7. Roads and driveways should be as narrow and as short as possible; preferably less than 25 and 15 feet, respectively
8. Maintain forest canopy closure over roads and driveways.
9. Maintain forest habitat up to the edges of roads and driveways; do not create or maintain mowed grassy berms.
10. Maintain or create wildlife corridors.
11. Do not remove or disturb forest habitat during April-August, the breeding season for most FIDS. This seasonal restriction may be expanded to February-August if certain early nesting FIDS (e.g., Barred Owl) are present.
12. Landscape homes with native trees, shrubs and other plants and/or encourage homeowners to do so.
13. Encourage homeowners to keep pet cats indoors or, if taken outside, kept on a leash or inside a fenced area.
14. In forested areas reserved from development, promote the development of a diverse forest understory by removing livestock from forested areas and controlling white-tailed deer populations. Do not mow the forest understory or remove woody debris and snags.
15. Afforestation efforts should target a) riparian or streamside areas that lack woody vegetative buffers, b) forested riparian areas less than 300 feet wide, and c) gaps or peninsulas of nonforested habitat within or adjacent to existing FIDS habitat.

The Critical Area Commission's document "A Guide to the Conservation of Forest Interior Dwelling Birds in the Chesapeake Bay Critical Area" provides details on development standards and information about mitigation for projects where impacts to FIDS habitat cannot be totally avoided. Mitigation plantings for impacts to FIDS habitat may be required under the local government's Critical Area Program. The amount of mitigation required is generally based in whether the guidelines listed above are followed.

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 WHS Service at (410) 221-8838 for further technical assistance regarding waterfowl. Please note that the utilization of state funds, or the need to obtain a state-authorized permit, may warrant additional evaluations that could lead to protection or survey recommendations by the Wildlife and Heritage Service.

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.

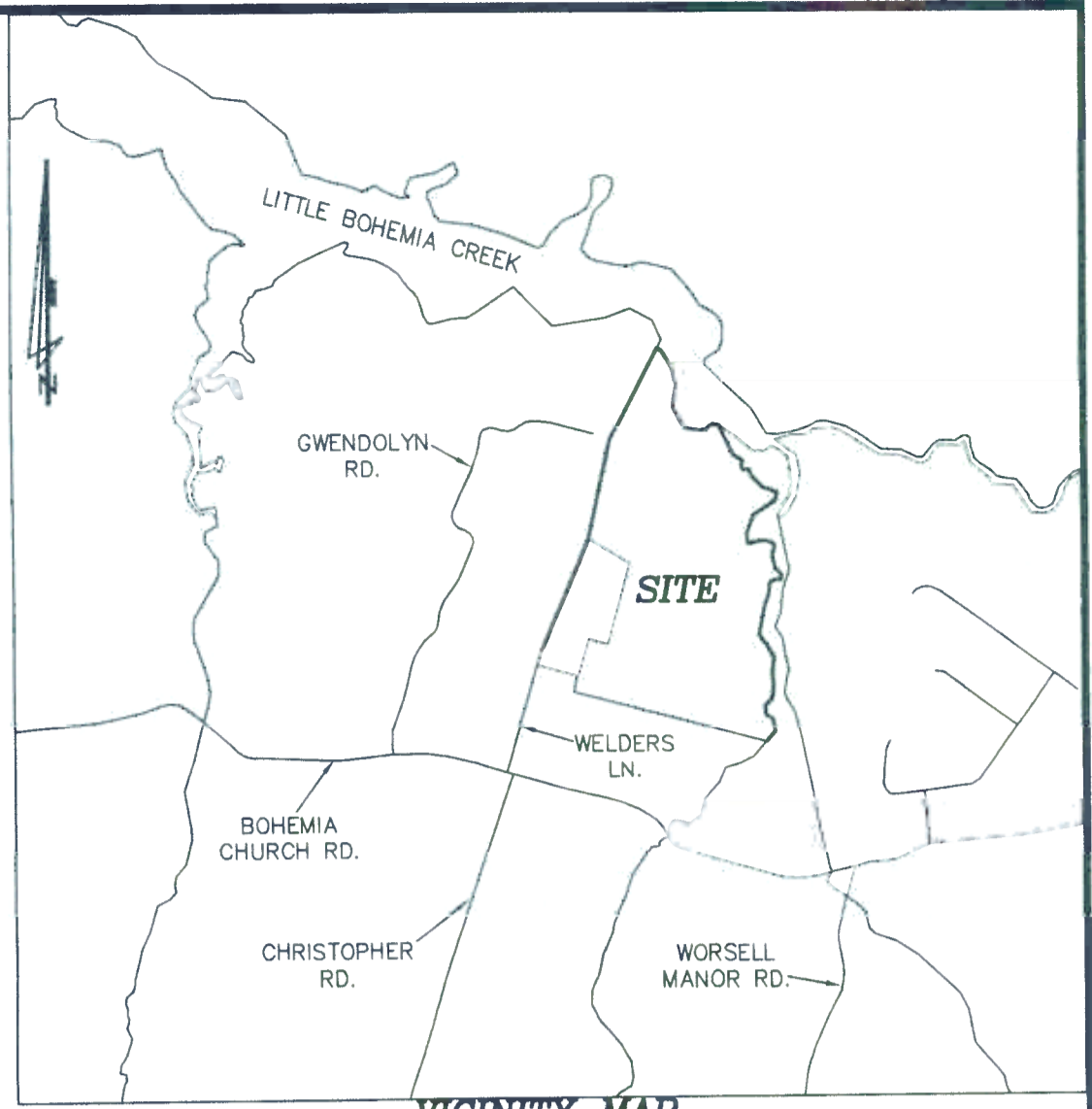
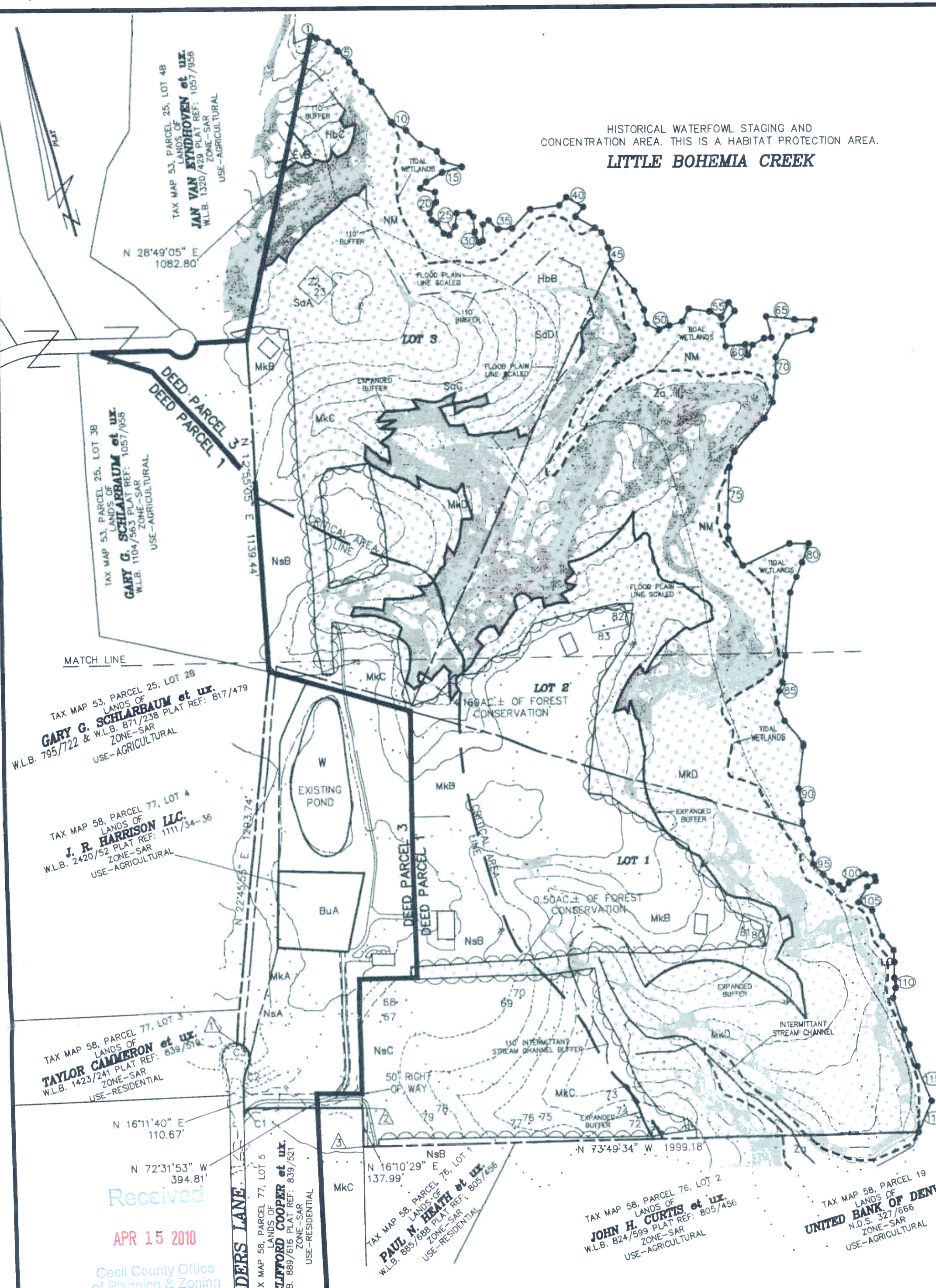
Sincerely,



Lori A. Byrne
Environmental Review Coordinator
Wildlife and Heritage Service
MD Dept. of Natural Resources

ER # 2009.1837.ce
Cc: D. Brinker, DNR
K. Charbonneau, CAC
L. Hindman, DNR

HISTORICAL WATERFOWL STAGING AND CONCENTRATION AREA. THIS IS A HABITAT PROTECTION AREA.
LITTLE BOHEMIA CREEK



SHEET 1 OF 4 INDEX SHEET SHOWING ENTIRE SUBDIVISION
SHEET 2 OF 4 CONCEPT MAJOR SUBDIVISION
SHEET 3 OF 4 CONCEPT MAJOR SUBDIVISION
SHEET 4 OF 4 CONCEPT MAJOR SUBDIVISION

- NOTES:
- TAX MAP 58, PARCEL 2, LOT 5
 - LAND OWNER: J. R. HARRISON LLC
895 NOTTINGHAM ROAD
ELKTON, MARYLAND, 21921
 - FOR DEED REFERENCE SEE: W.L.B. 2420/52
FOR PLAT REFERENCE SEE: 777/397 & 1111/34-36
 - SITE IS CURRENTLY ZONED - S.A.R.
TOTAL AREA OF PROPERTY - 145.438 AC.±
AREA OF PROPERTY IN PRIVATE TIDAL WETLANDS - 6.982AC.±
AREA OF PROPERTY IN THE CRITICAL AREA RCA DESIGNATION - 104.312AC.±
PROPOSED DENSITY IN THE RCA ZONE IS 1 DWELLING UNIT PER 32.443AC.±
AREA OF PROPERTY IN THE SAR ZONE - 145.438AC.±
PROPOSED DENSITY IN THE SAR ZONE IS 1 DWELLING UNIT PER 34.614AC.±
 - AREA OF LOT 1 - 64.364AC.±/34.382AC.± OF CRITICAL AREA/0.182AC.± OF PRIVATE WETLANDS
AREA OF LOT 2 - 39.273AC.±/36.170AC.± OF CRITICAL AREA/4.536AC.± OF PRIVATE WETLANDS
AREA OF LOT 3 - 41.801AC.±/33.760AC.± OF CRITICAL AREA/2.264AC.± OF PRIVATE WETLANDS
NUMBER OF PROPOSED LOTS - 3
 - THE LOTS 1 THROUGH 3 SHOWN HEREON IS SUBJECT TO A 5' WIDE DRAINAGE AND UTILITY EASEMENT ALONG ALL SIDE AND REAR PROPERTY LINES.
 - THE AREA OF THIS PROJECT WITHIN THE CHESAPEAKE BAY CRITICAL AREA IS EXEMPT UNDER THE PROVISIONS OF SECTION 3.2B OF THE CECIL COUNTY FOREST CONSERVATION REGULATIONS.
 - THIS PROJECT LIES PARTIALLY WITHIN RCA DESIGNATION CHESAPEAKE BAY CRITICAL AREA.
 - SECTION 193.3 OF THE CECIL COUNTY ZONING ORDINANCE THE DENSITY OF THE RCA ZONE IS ONE DWELLING UNIT PER TWENTY ACRES. THEREFORE BASED ON THIS PLAN FOR THREE LOTS AND THREE DWELLING UNITS, NO ADDITIONAL SUBDIVISION OR DWELLING UNITS MAY OCCUR.
 - TOPOGRAPHY SHOWN HEREON PROVIDED BY POTOMAC AERIAL IN 1998. ELEVATIONS SHOWN HEREON ARE ON NGVD 88 DATUM.
 - SOILS SHOWN HEREON ARE TAKEN FROM U.S.D.A. SOIL SURVEY OF CECIL COUNTY.
 - THE FLOOD PLAIN LINE SHOWN HEREON WAS SCALED FROM FIRM MAP 240019 0065A DATED APRIL 4, 1983. PORTIONS OF PARCEL 2, LOT 5, LOT 6, AND LOT 7 ARE IN FLOOD ZONE A. THE ELEVATION OF THE FLOOD ZONE A IS NOT DETERMINED PER THE FIRM MAP.
 - LOT COVERAGE CALCULATIONS
AREA OF LOT 1 IN THE CRITICAL AREA - 34.382 AC.± NO MORE THAN 15% OR 5.157 AC.± OF LOT COVERAGE IS PERMITTED ON LOT 1 IN THE CRITICAL AREA.
AREA OF LOT 2 IN THE CRITICAL AREA - 36.170 AC.± NO MORE THAN 15% OR 5.425 AC.± OF LOT COVERAGE IS PERMITTED ON LOT 2 IN THE CRITICAL AREA.
AREA OF LOT 3 IN THE CRITICAL AREA - 33.760 AC.± NO MORE THAN 15% OR 5.064 AC.± OF LOT COVERAGE IS PERMITTED ON LOT 3 IN THE CRITICAL AREA.

Received
APR 15 2010
Cecil County Office of Planning & Zoning

NO DISTURBANCE IS PERMITTED IN THE 110 FOOT AND EXPANDED BUFFER.
NO DEVELOPMENT IS PERMITTED IN THE TIDAL WETLANDS AND TIDAL WATERS BUFFER, INCLUDING SEPTIC SYSTEMS, IMPERVIOUS SURFACES, PARKING AREAS, ROADS, OR STRUCTURES.
A LOT GRADING PLAN HAS BEEN APPROVED BY THE CECIL COUNTY DEPARTMENT OF PUBLIC WORKS FOR THE WORK SHOWN HEREON. A CONSTRUCTION AS-BUILT SHALL BE SUBMITTED TO THE CECIL COUNTY DEPARTMENT OF PUBLIC WORKS PRIOR TO USE AND/OR OCCUPANCY OF ANY OF THE SITES SHOWN HEREON. ANY CHANGES TO THE FOREST RETENTION, AFFORESTATION, AND/OR REFORESTATION WILL REQUIRE A CONSISTENCY REVIEW OF THE STORM WATER MANAGEMENT APPROVAL, WITH CECIL COUNTY DEPARTMENT OF PUBLIC WORKS.
NO CLEARING OR GRADING IS PERMITTED BEYOND THE LIMITS OF DISTURBANCE SHOWN HEREON. ANY EXPANDED CLEARING AND/OR GRADING IN THE ABSENCE OF AN APPROVED REVISED LOT GRADING PLAN MAY BE CONSIDERED NONCOMPLIANCE WITH CHAPTER 251 OF THE CECIL COUNTY CODE AND EITHER OR BOTH THE DEVELOPER AND/OR BUILDER MAY BE SUBJECT TO THE ENFORCEMENT OF THE PENALTY PROVISIONS THEREIN.
AN AGRICULTURAL OPERATION IS BEING CONDUCTED ON A CONTIGUOUS PROPERTY AND SAID AGRICULTURAL OPERATION IS PROTECTED FROM NUISANCE CLAIMS PROVIDED THE CONDITIONS OF ARTICLE 1, SUBSECTION 4 ARE BEING COMPLIED WITH.

COORDINATE TABLE

NO.	NORTHING	EASTING
△	11482.6212	3530.3277
△	11137.3913	3893.1262
△	11004.9639	3854.6691

● - DENOTES PROPOSED WELL
△ - DENOTES FIELD LOCATED PERC TEST

PERC DATA

PERC #	DEPTH	MIN.
PERC #22	6.5' DEEP	14 MIN.
PERC #23	12' DEEP	6 MIN.
PERC #67	10' DEEP	3 MIN.
PERC #68	14' DEEP	O.H.
PERC #69	9' DEEP	2 MIN.
PERC #70	13' DEEP	O.H.
PERC #71	8' DEEP	5 MIN.
PERC #72	13' DEEP	O.H.
PERC #73	12' DEEP	O.H.
PERC #74	8' DEEP	2 MIN.
PERC #75	13' DEEP	SEASONAL TEST
PERC #76	14' DEEP	O.H.
PERC #77	10' DEEP	5 MIN.
PERC #78	8' DEEP	4 MIN.
PERC #79	12' DEEP	O.H.
PERC #80	13' DEEP	O.H.
PERC #81	7' DEEP	1 MIN.
PERC #82	11' DEEP	O.H.
PERC #83	7' DEEP	1 MIN.
PERC #84	9' DEEP	2 MIN.
PERC #85	13' DEEP	O.H.

OWNER'S CERTIFICATE
CERTIFICATION IS HEREBY MADE THAT TO THE BEST OF MY KNOWLEDGE THE REQUIREMENTS OF THE SECTION 3-108, REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, CONCERNING THE PREPARATION OF THIS PLAT AND THE SETTING OF MARKERS, HAVE BEEN COMPLIED WITH.

HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN ON THIS PLAN, AND THIS SUBDIVISION PLAT (THEREOF) WAS MADE AT MY DISCRETION.

LAND OWNER _____ DATE _____

- LEGEND**
- DENOTES FOREST CONSERVATION
 - DENOTES SLOPES GREATER THAN 25%
 - DENOTES SLOPES BETWEEN 15% & 25%

SURVEYOR'S CERTIFICATE
CERTIFICATION IS HEREBY MADE THAT PREPARATION OF THIS SUBDIVISION IS IN COMPLIANCE WITH SECTION 3-108, REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND SUBSEQUENT AMENDMENTS.

REGISTERED MARYLAND LAND SURVEYOR
MICHAEL A. SCOTT
207 S. MAPLE AVENUE
CHESTERTOWN MD. 21620

DATE _____

DWG. NAME - SHEET 1 OF 5

CONCEPTUAL MAJOR SUBDIVISION

OF THE LANDS OF

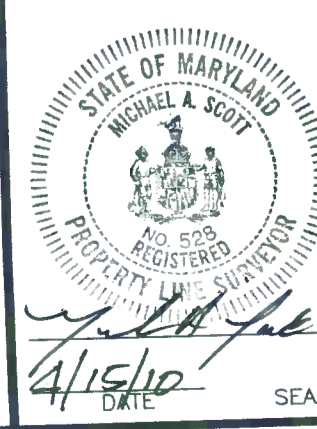
SMITH CREEK II

FIRST ELECTION DISTRICT, CECIL COUNTY, MARYLAND

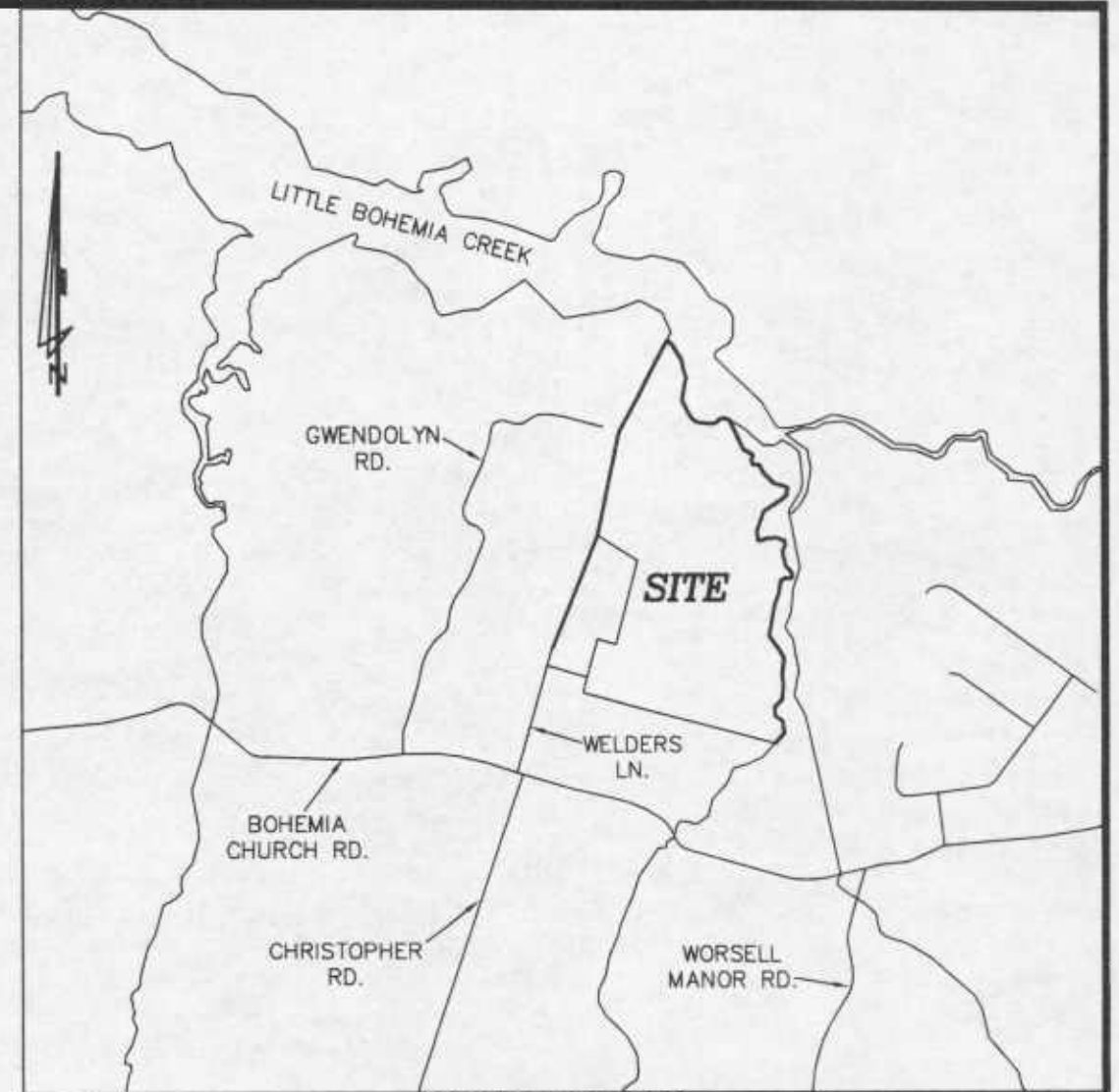
TAX MAP 58, GRID 3, PARCEL 2

DATE	SCALE
10-19-09	1"=300'
JOB NO.	DRAWN BY
5301	J. WALLS
FOLDER REF	
CE-1272	
DATE	REVISION

MICHAEL A. SCOTT INC.
207 MAPLE AVENUE CHESTERTOWN, MD 21620 (410)778-2310



HISTORICAL WATERFOWL STAGING AND CONCENTRATION AREA. THIS IS A HABITAT PROTECTION AREA.
LITTLE BOHEMIA CREEK

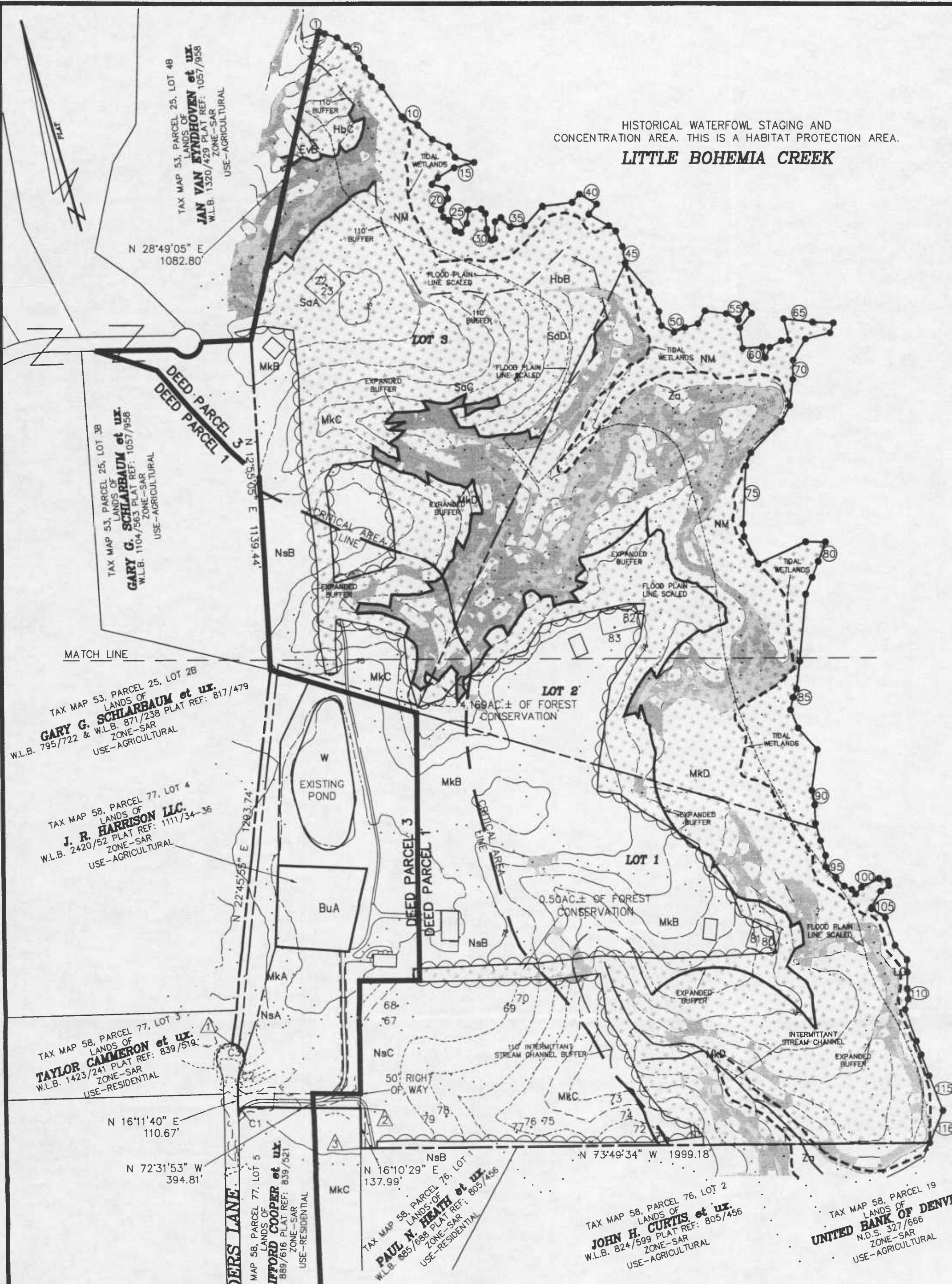


VICINITY MAP
TAX MAP 58, PARCEL 2
INDEX

- SHEET 1 OF 4 INDEX SHEET SHOWING ENTIRE SUBDIVISION
- SHEET 2 OF 4 CONCEPT MAJOR SUBDIVISION
- SHEET 3 OF 4 CONCEPT MAJOR SUBDIVISION
- SHEET 4 OF 4 CONCEPT MAJOR SUBDIVISION

NOTES:

1. TAX MAP 58, PARCEL 2, LOT 5
2. LAND OWNER: J. R. HARRISON LLC
895 NOTTINGHAM ROAD
ELKTON, MARYLAND, 21921
3. FOR DEED REFERENCE SEE: W.L.B. 2420/52
FOR PLAT REFERENCE SEE: 777/397 & 1111/34-36
4. SITE IS CURRENTLY ZONED - S.A.R.
TOTAL AREA OF PROPERTY - 145.438 AC.±
AREA OF PROPERTY IN PRIVATE TIDAL WETLANDS - 6.982AC.±
AREA OF PROPERTY IN THE CRITICAL AREA RCA DESIGNATION - 104.312AC.±
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PROPOSED DENSITY IN THE SAR ZONE IS 1 DWELLING UNIT PER 34.614AC.±
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DEED PARCEL 3
DEED PARCEL 1

COORDINATE TABLE

NO.	NORTHING	EASTING
△	11482.6212	3530.3277
△	11137.3913	3893.1262
△	11004.9639	3854.6691

- - DENOTES PROPOSED WELL
- - DENOTES FIELD LOCATED PERC TEST

PERC DATA

PERC #	DEPTH	TEST
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PERC #23	12' DEEP	6 MIN.
PERC #67	10' DEEP	3 MIN.
PERC #68	14' DEEP	O.H.
PERC #69	9' DEEP	2 MIN.
PERC #70	13' DEEP	O.H.
PERC #71	8' DEEP	5 MIN.
PERC #72	13' DEEP	O.H.
PERC #73	12' DEEP	O.H.
PERC #74	8' DEEP	2 MIN.
PERC #75	13' DEEP	SEASONAL TEST
PERC #76	14' DEEP	O.H.
PERC #77	10' DEEP	5 MIN.
PERC #78	8' DEEP	4 MIN.
PERC #79	12' DEEP	O.H.
PERC #80	13' DEEP	O.H.
PERC #81	7' DEEP	1 MIN.
PERC #82	11' DEEP	O.H.
PERC #83	7' DEEP	1 MIN.
PERC #84	9' DEEP	2 MIN.
PERC #85	13' DEEP	O.H.

OWNER'S CERTIFICATE

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LAND OWNER _____ DATE _____

LEGEND

- - DENOTES FOREST CONSERVATION

SURVEYOR'S CERTIFICATE

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REGISTERED MARYLAND LAND SURVEYOR _____ DATE _____
MICHAEL A. SCOTT
207 S. MAPLE AVENUE
CHESTERTOWN MD. 21620

DWG. NAME - SHEET 2 OF 5

CONCEPTUAL MAJOR SUBDIVISION

OF THE LANDS OF

SMITH CREEK II

FIRST ELECTION DISTRICT, CECIL COUNTY, MARYLAND

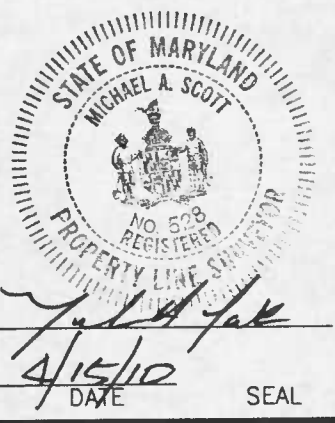
TAX MAP 58, GRID 3, PARCEL 2

DATE	SCALE
10-19-09	1"=300'
JOB NO.	DRAWN BY
5301	J. WALLS
FOLDER REF	
CE-1272	
DATE	REVISION

RECEIVED

APR 29 2010

MICHAEL A. SCOTT INC.
207 MAPLE AVENUE CHESTERTOWN, MD 21620 (410)778-2310



TAX MAP 53, PARCEL 25, LOT 3B
LANDS OF
GARY G. SCHLARBAUM et ux.
W.L.B. 1104/563 PLAT REF: 1057/958
ZONE-SAR
USE-AGRICULTURAL

TAX MAP 53, PARCEL 25, LOT 2B
LANDS OF
GARY G. SCHLARBAUM et ux.
W.L.B. 795/722 & W.L.B. 871/238 PLAT REF: 817/479
ZONE-SAR
USE-AGRICULTURAL

TAX MAP 58, PARCEL 77, LOT 4
LANDS OF
J. R. HARRISON LLC.
W.L.B. 2420/52 PLAT REF: 1111/34-36
ZONE-SAR
USE-AGRICULTURAL

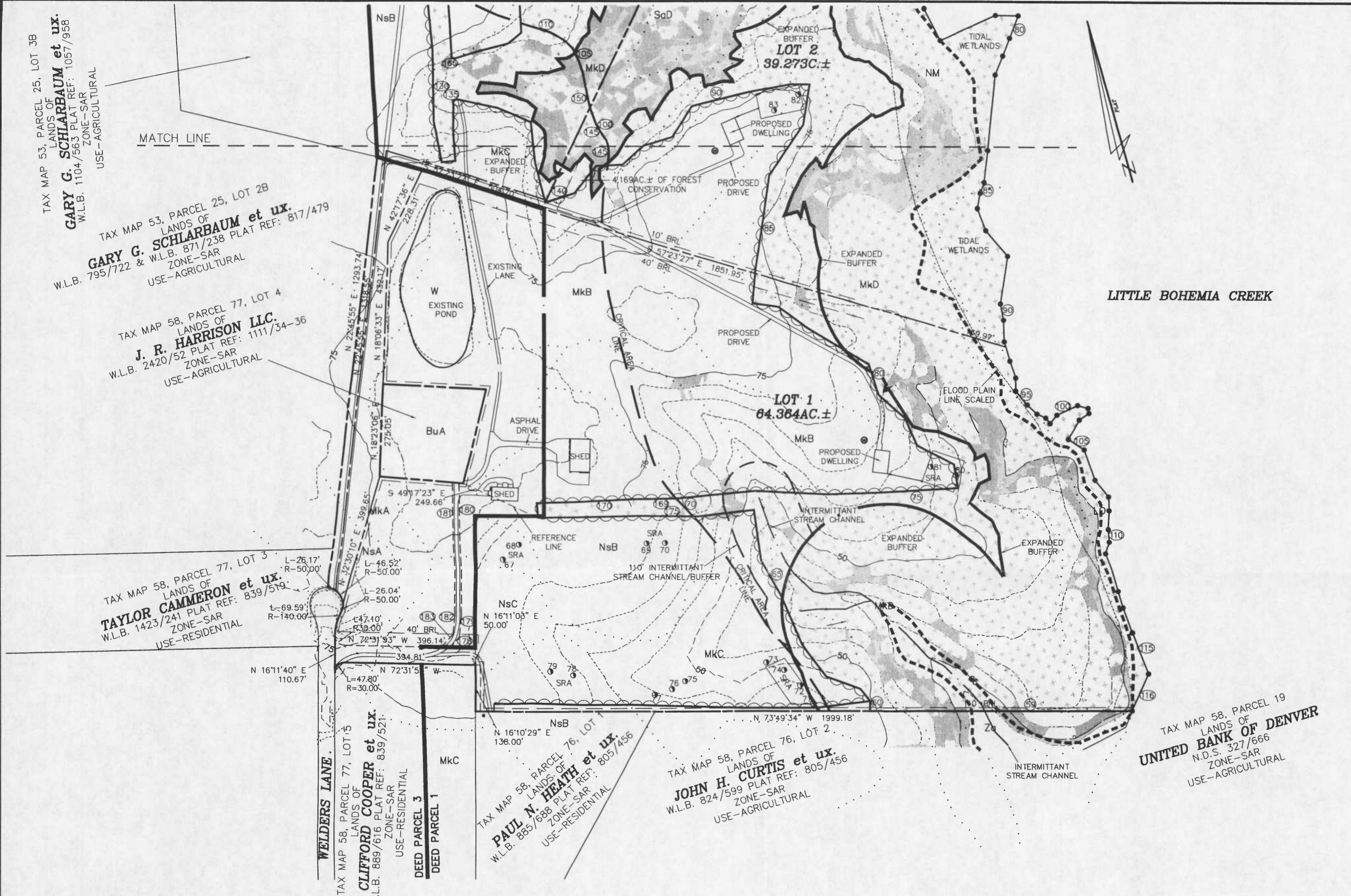
TAX MAP 58, PARCEL 77, LOT 3
LANDS OF
TAYLOR CAMMERON et ux.
W.L.B. 1423/241 PLAT REF: 839/519
ZONE-SAR
USE-RESIDENTIAL

TAX MAP 58, PARCEL 77, LOT 5
LANDS OF
C. CLIFFORD COOPER et ux.
W.L.B. 889/616 PLAT REF: 839/521
ZONE-SAR
USE-RESIDENTIAL

TAX MAP 58, PARCEL 76, LOT 1
LANDS OF
PAUL N. HEATH et ux.
W.L.B. 885/688 PLAT REF: 805/456
ZONE-SAR
USE-RESIDENTIAL

TAX MAP 58, PARCEL 76, LOT 2
LANDS OF
JOHN H. CURTIS et ux.
W.L.B. 824/599 PLAT REF: 805/456
ZONE-SAR
USE-AGRICULTURAL

TAX MAP 58, PARCEL 19
LANDS OF
UNITED BANK OF DENVER
N.D.S. 327/666
ZONE-SAR
USE-AGRICULTURAL

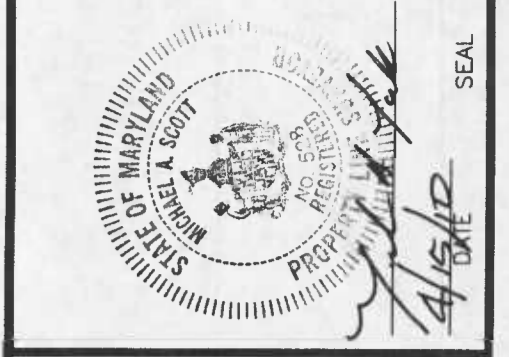


● - DENOTES PROPOSED WELL
○ - DENOTES FIELD LOCATED PERC TEST

PERC DATA

PERC #22	6.5'	DEEP	14 MIN.
PERC #23	12'	DEEP	6 MIN.
PERC #67	10'	DEEP	3 MIN.
PERC #68	14'	DEEP	O.H.
PERC #69	9'	DEEP	2 MIN.
PERC #70	13'	DEEP	O.H.
PERC #71	8'	DEEP	5 MIN.
PERC #72	13'	DEEP	O.H.
PERC #73	12'	DEEP	O.H.
PERC #74	8'	DEEP	2 MIN.
PERC #75	15'	DEEP	SEASONAL TEST
PERC #76	14'	DEEP	O.H.
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PERC #83	7'	DEEP	1 MIN.
PERC #84	9'	DEEP	2 MIN.
PERC #85	13'	DEEP	O.H.

- DENOTES FOREST CONSERVATION
- DENOTES SLOPES GREATER THAN 25%
- DENOTES SLOPES BETWEEN 15% & 25%

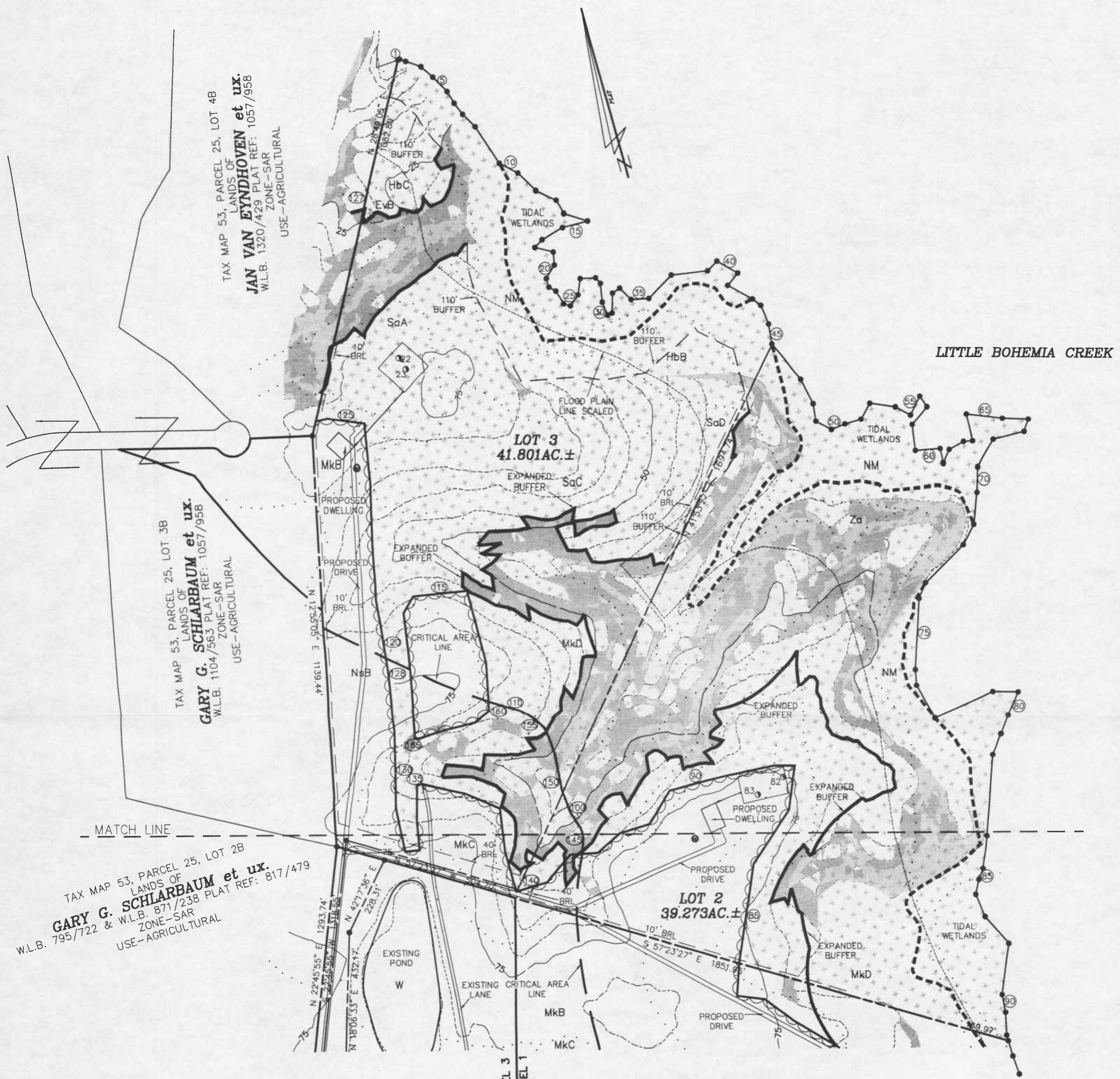


MICHAEL A. SCOTT INC.
207 MAPLE AVENUE CHESTERTOWN, MD 21620 (410)778-2310

SCALE	1"=200'
DATE	10-19-09
JOB NO.	5301
FOLDER REF	CE-1272
DRAWN BY	J. WALLS
REVISION	APR 2 2019
DATE	APR 2 2019
CRT CAL AREA COMMISSION	Chesapeake & Atlantic Coast Boys

CONCEPTUAL MAJOR SUBDIVISION
OF THE LANDS OF
SMITH CREEK II
FIRST ELECTION DISTRICT, CECIL COUNTY, MARYLAND
TAX MAP 58, GRID 3, PARCEL 2

SURVEYOR'S CERTIFICATE
CERTIFICATION IS HEREBY MADE THAT PREPARATION OF THIS SUBDIVISION IS IN COMPLIANCE WITH SECTION 3-108, REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND SUBSEQUENT AMENDMENTS.
REGISTERED MARYLAND LAND SURVEYOR _____ DATE _____
MICHAEL A. SCOTT
207 S. MAPLE AVENUE
CHESTERTOWN MD. 21620



TAX MAP 53, PARCEL 25, LOT 4B
LANDS OF
JAN VAN EYNDHOVEN et ux.
W.L.B. 1320/429 PLAT REF: 1057/958
ZONE-SAR
USE-AGRICULTURAL

TAX MAP 53, PARCEL 25, LOT 3B
LANDS OF
GARY G. SCHLARBAUM et ux.
W.L.B. 1104/563 PLAT REF: 1057/958
ZONE-SAR
USE-AGRICULTURAL

TAX MAP 53, PARCEL 25, LOT 2B
LANDS OF
GARY G. SCHLARBAUM et ux.
W.L.B. 795/722 & 871/238 PLAT REF: 817/479
ZONE-SAR
USE-AGRICULTURAL

LITTLE BOHEMIA CREEK

DEED PARCEL 3
DEED PARCEL 1

- ⊙ - DENOTES PROPOSED WELL
- ⊙ - DENOTES FIELD LOCATED PERC TEST

PERC DATA

PERC #22	6.5' DEEP	14 MIN.
PERC #23	12' DEEP	6 MIN.
PERC #67	10' DEEP	3 MIN.
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PERC #73	12' DEEP	O.H.
PERC #74	8' DEEP	2 MIN.
PERC #75	13' DEEP	SEASONAL TEST
PERC #76	14' DEEP	O.H.
PERC #77	10' DEEP	5 MIN.
PERC #78	8' DEEP	4 MIN.
PERC #79	12' DEEP	O.H.
PERC #80	13' DEEP	O.H.
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PERC #82	11' DEEP	O.H.
PERC #83	7' DEEP	1 MIN.
PERC #84	9' DEEP	2 MIN.
PERC #85	13' DEEP	O.H.

- DENOTES FOREST CONSERVATION
- DENOTES DEED RESTRICTED FOREST
- DENOTES SLOPES GREATER THAN 25%
- DENOTES SLOPES BETWEEN 15% & 25%

SURVEYOR'S CERTIFICATE

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RECEIVED
APR 23 2010
CRITICAL AREA COMMISSION
Chesapeake & Atlantic Coastal Bays

REGISTERED MARYLAND LAND SURVEYOR
MICHAEL A. SCOTT
207 S. MAPLE AVENUE
CHESTERTOWN MD. 21620

DWG. NAME - SHEET 4 OF 5

CONCEPTUAL MAJOR SUBDIVISION
OF THE LANDS OF
SMITH CREEK II
FIRST ELECTION DISTRICT, CECIL COUNTY, MARYLAND
TAX MAP 58, GRID 3, PARCEL 2

DATE	SCALE
10-19-09	1"=200'
JOB NO.	DRAWN BY
5301	J. WALLS
FOLDER REF	
CE-1272	
DATE	REVISION

MICHAEL A. SCOTT INC.
207 MAPLE AVENUE CHESTERTOWN, MD 21620 (410)778-2310

STATE OF MARYLAND
REGISTERED
MICHAEL A. SCOTT
NO. 528
PROPERTY LINE SURVEYOR

Michael A. Scott
4/15/10
DATE SEAL

TAX MAP 53, PARCEL 25, LOT 3B
LANDS OF
GARY G. SCHLARBAUM et ux.
W.L.B. 1104/563 PLAT REF: 1057/958
ZONE-SAR
USE-AGRICULTURAL

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ZONE-SAR
USE-AGRICULTURAL

TAX MAP 58, PARCEL 77, LOT 4
LANDS OF
J. R. HARRISON LLC.
W.L.B. 2420/52 PLAT REF: 1111/34-36
ZONE-SAR
USE-AGRICULTURAL

FOREST RETENTION AREA 1B (PA-1)
AREA = 0.50 ACRE (NON-CRITICAL AREA)

TAX MAP 58, PARCEL 77, LOT 3
LANDS OF
TAYLOR CAMMERON et ux.
W.L.B. 1423/241 PLAT REF: 839/519
ZONE-SAR
USE-RESIDENTIAL

TAX MAP 58, PARCEL 76, LOT 1
LANDS OF
PAUL N. HEATH et ux.
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ZONE-SAR
USE-RESIDENTIAL

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ZONE-SAR
USE-AGRICULTURAL

TAX MAP 58, PARCEL 19
LANDS OF
UNITED BANK OF DENVER
N.D.S. 327/666
ZONE-SAR
USE-AGRICULTURAL

- NOTES**
- The base topographic, property line, and outbound information was derived from the Preliminary Major Subdivision Plan for lands of Smith Creek II, prepared by Michael Scott, Inc., Chestertown, MD, dated October 19, 2009.
 - The total tract area for the Smith Creek II Subdivision is 145.438± acres.
 - The site is currently zoned SAR (41.126± acres) & RCA (104.312± acres).
 - The soil locations and types are taken from the Cecil County Soil Survey.
 - The forest stand was delineated by others.
 - Notification from the Maryland Natural Heritage program regarding the critical habitats on Smith Creek II Subdivision is included in the narrative.
 - Slopes greater than 25% and slopes greater than 15% with a K value greater than 0.35 as measured off approved topographic maps, using a minimum area of 10,000 square feet were observed.
 - The owner/developer of the property is Mr. John R. Harrison, J.R. Harrison, LLC, 896 Nottingham Road, Elkton, MD 21921.
 - The site information is tax map 58, parcel 2, deed reference WLB 2420/52, plot reference 777/397.
 - Over 100 acres of contiguous forest is located to the east of the project site.
 - Approximately 104.31 acres of RCA Critical Area are located on the project site.
 - Temporary debris stockpile areas shall be kept outside of the proposed forest retention / reforestation areas. Stockpile areas have been located hereon for use during initial construction activities and are not to be used for permanent disposal.
 - A 100-year floodplain is present on the project site.
 - Lots 1, 2 & 3 will be retained by the owner and are exempt from the Forest Conservation Regulations by Section 3.2K.
 - The FSD (#227) was approved on 12/18/99 and an extension was granted on 12/20/06 and 10/29/09.
 - According to the Maryland Natural Heritage Service the forested areas on-site are considered potential forest interior dwelling bird habitat.

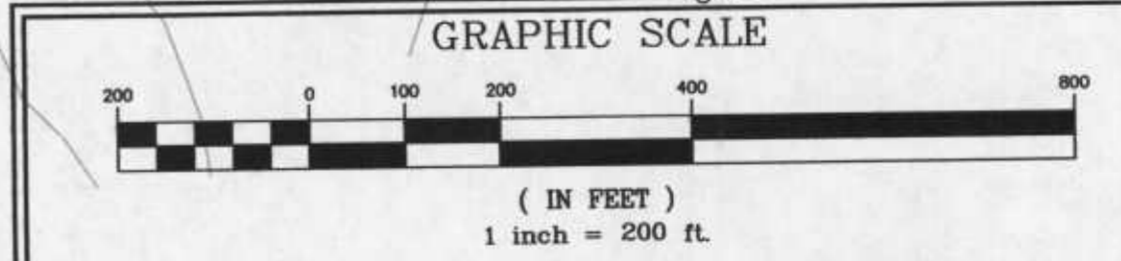
FOREST RETENTION AREA SUMMARY

Forest Retention Area 1A (PA-1)	Priority Rating - 3.59 Acres
Forest Retention Area 1B (PA-1)	Priority Rating - 0.50 Acre
Forest Retention Area 2 (PA-1)	Priority Rating - 83.31 Acres (Critical Area)
Forest Retention Area Total	87.40 Acres (Includes 6.982 acres of private tidal wetlands)

LEGEND

- Protective Barrier Fencing
- Signage
- Forest Retention Area (Critical)
- Forest Retention Area (Non-Critical)
- Stockpile Area

- DENOTES SLOPES GREATER THAN 25%
- DENOTES SLOPES BETWEEN 15% & 25%



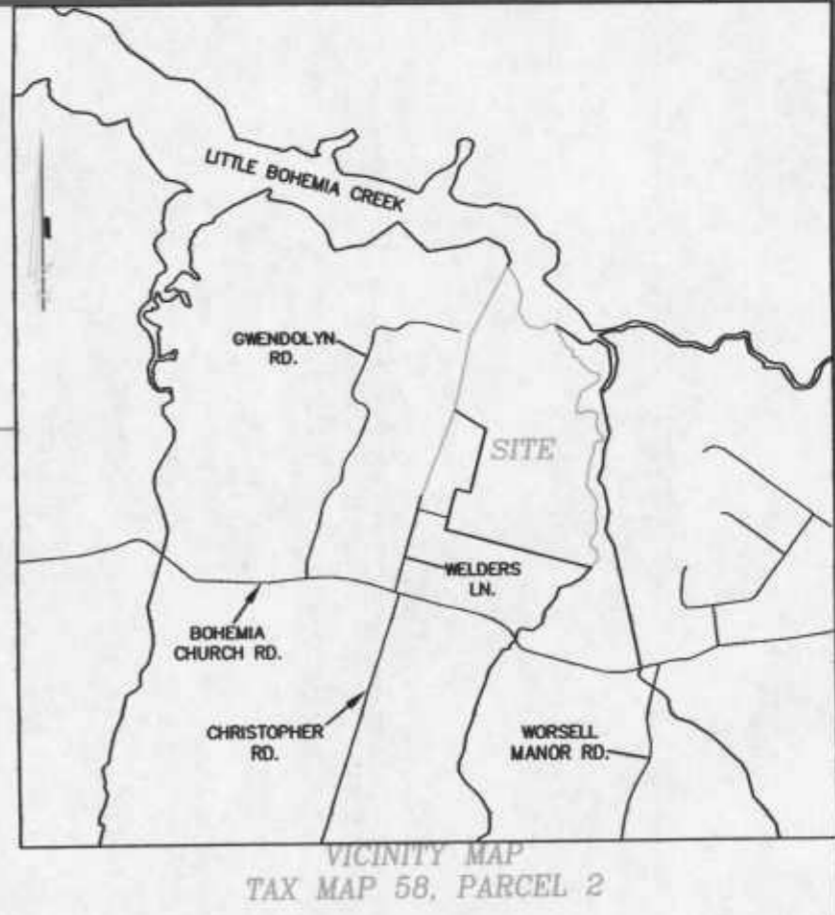
Title: PRELIMINARY FOREST CONSERVATION AND CRITICAL AREA ENVIRONMENTAL ASSESSMENT PLAN

Project: SMITH CREEK II (LOTS 1-3)
First Election District
Cecil County
Maryland

Client: MR. JOHN R. HARRISON
J.R. HARRISON, LLC.
896 Nottingham Road
Elkton, MD 21921

VORTEX ENVIRONMENTAL, INC.
521 Beaver Valley Pike
Lancaster, PA 17602
(717) 509-3934 FAX (717) 509-2789

Drawn By: SMJ
Reviewed By: BJG
Project Number: 007-231-08
Date: March 15, 2010



FOREST RETENTION AREA 2 (PA-1)
AREA = 83.31 ACRES (CRITICAL AREA)
(INCLUDES 6.982 ACRES OF PRIVATE TIDAL WETLANDS)

LITTLE BOHEMIA CREEK

RECEIVED
MAR 29 2010
CRITICAL AREA COMMISSION
Chesapeake & Atlantic Coastal Bays

MICHAEL SCOTT INC.
207 MAPLE AVENUE CHESTERTOWN, MD 21620 (410) 778-2310

SCALE	1"=200'
DATE	10-19-09
JOB NO.	5301
FOLDER REF	CE-1272
DATE	
REVISION	

PRELIMINARY MAJOR SUBDIVISION
OF THE LANDS OF
SMITH CREEK II
FIRST ELECTION DISTRICT, CECIL COUNTY, MARYLAND
TAX MAP 58, GRID 3, PARCEL 2

CONSTRUCTION TIME TABLE

- Stake forest retention area edges in the field with respect to the critical root zones (C.R.Z.) and apply stress reduction measures as necessary.
- Install temporary and permanent protective devices around the forest retention areas.
- Hold pre-construction meeting at the project site.
- Install soil erosion control structures.
- Site inspection by the Cecil County OPZ.
- Begin site work and building construction.
- Perform post-construction corrective measures (stress reduction, dead and dying tree removal, etc.).
- Remove temporary forest protection structures after inspection by the Cecil County OPZ.
- Site inspection by project inspector.
- Commencement of forest conservation area protective agreements.

FOREST RETENTION AREA 1 (PA-1)
AREA = 83.31 ACRES (CRITICAL AREA)
(INCLUDES 6.982 ACRES OF PRIVATE
TIDAL WETLANDS)

LITTLE BOHEMIA CREEK

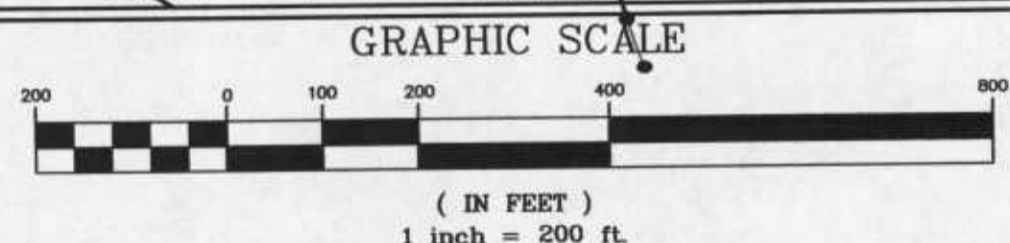
FOREST RETENTION AREA 1A (PA-1)
AREA = 3.59 ACRES (NON-CRITICAL AREA)

MATCH LINE

TAX MAP 53, PARCEL 25, LOT 2B
LANDS OF
GARY G. SCHLARBAUM et ux.
W.L.B. 795/722 & W.L.B. 871/238 PLAT REF: 817/479
ZONE-SAR
USE-AGRICULTURAL

TAX MAP 53, PARCEL 25, LOT 4B
LANDS OF
JAN VAN EYNDHOVEN et ux.
W.L.B. 1320/429 PLAT REF: 1057/958
ZONE-SAR
USE-AGRICULTURAL

TAX MAP 53, PARCEL 25, LOT 3B
LANDS OF
GARY G. SCHLARBAUM et ux.
W.L.B. 1104/563 PLAT REF: 1057/958
ZONE-SAR
USE-AGRICULTURAL



Title: PRELIMINARY FOREST CONSERVATION, CRITICAL AREA ENVIRONMENTAL ASSESSMENT PLAN

Project: SMITH CREEK II (LOTS 1-3) First Election District Cecil County Maryland

Client: MR. JOHN R. HARRISON J.R. HARRISON, LLC. 896 Nottingham Road Elkton, MD 21921

VORTEX ENVIRONMENTAL, INC.
521 Beaver Valley Pike
Lancaster, PA 17602
(717) 509-3934 FAX (717) 509-2789

Drawn By: SMJ
Reviewed By: BJG
Project Number: 007-231-08
Date: March 15, 2010
SHEET 2 OF 2

"I, Brady J. Gochnauer, do hereby state to the best of my knowledge, information and belief that the information contained in the plans, specifications, and reports have been prepared in accordance with accepted environmental practices, is true and correct and is in conformance with the Cecil County Forest Conservation Technical Manual."

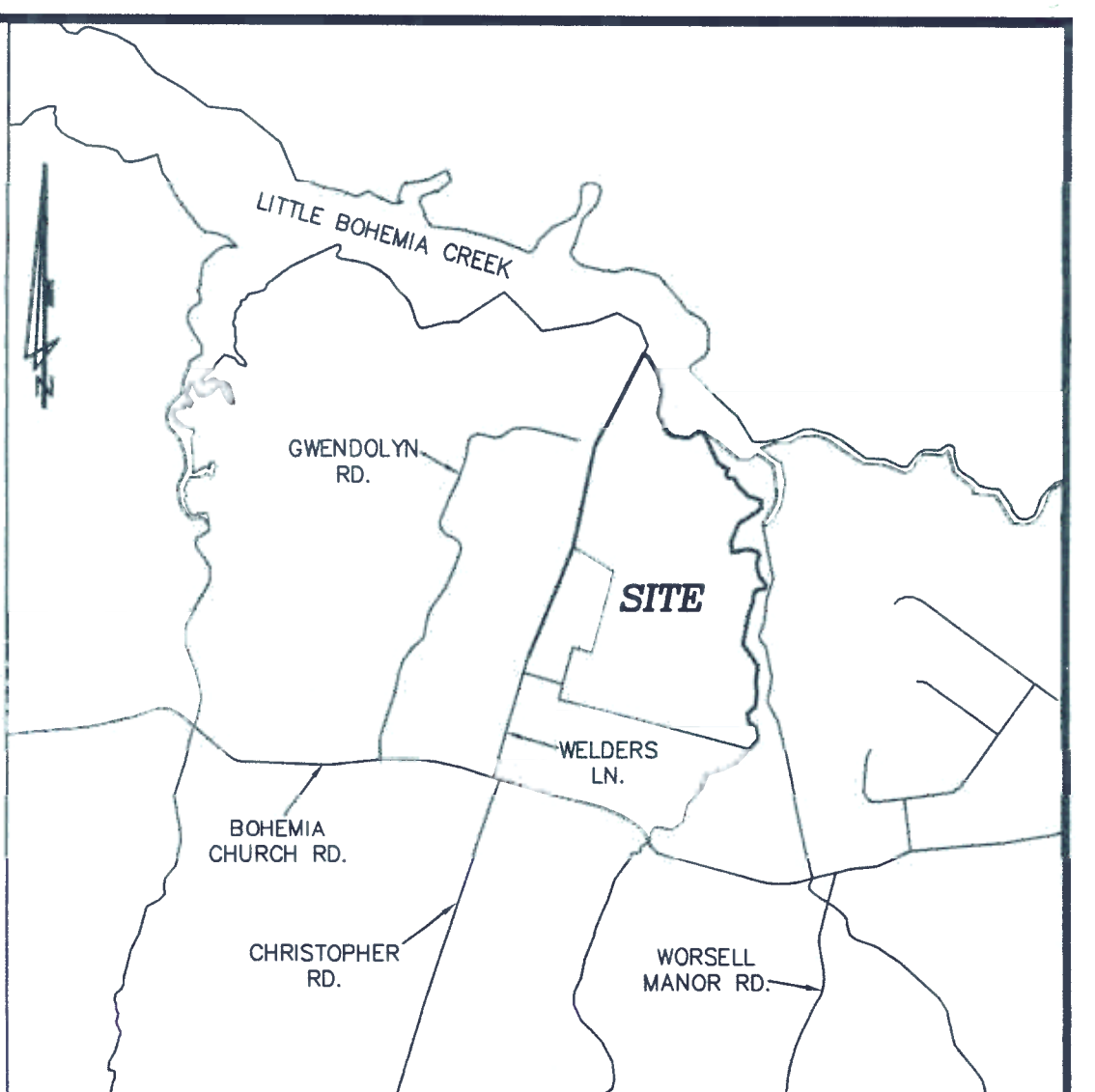
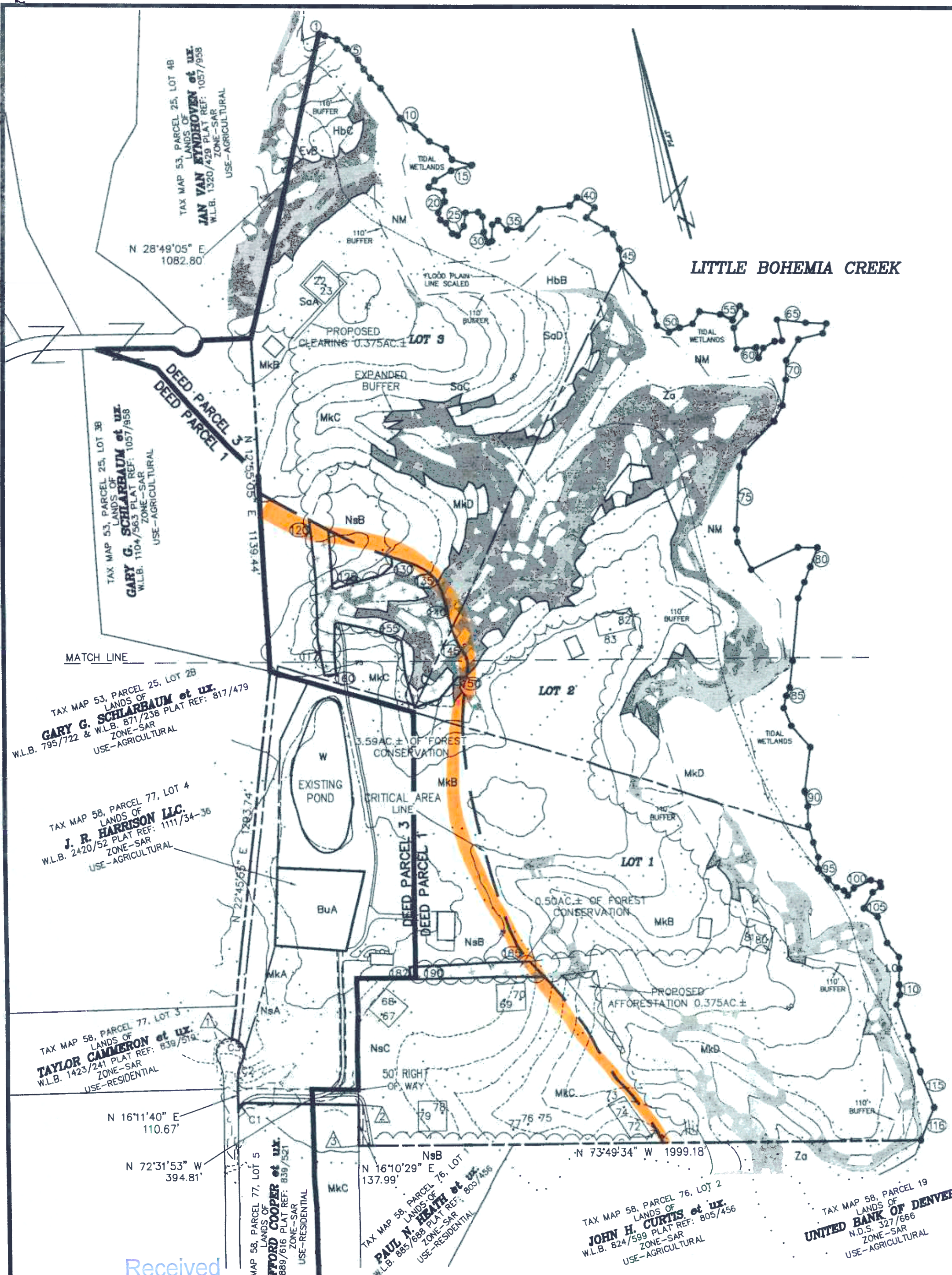
"The afforestation/reforestation/retention areas shown on this plot shall be protected by long term protective agreements, such as deed restrictions, conservation easements, and land trusts. These legally binding devices will ensure those areas retained, afforested, and/or reforested are limited to uses which are consistent with forest conservation. The afforestation/reforestation and/or forest retention areas shown on this plot shall remain undisturbed except to be used for purposes consistent with forest conservation and the approved Forest Conservation Plan filed in the Cecil County OPZ."

Brady J. Gochnauer, MD Qualified Professional 3/15/10 Date

SOIL DESCRIPTIONS

- BuA - Buttertown silt loam, 0-2%, K-factor +
- BuB2 - Buttertown silt loam, 2-5%, moderately eroded, K-factor +
- CtC3 - Collington loam, 5-10%, severely eroded, K-factor -
- EvB - Evesboro loamy sand, 0-5%, K-factor -
- MnB2 - Matapeake silt loam, 2-5%, moderately eroded, K-factor +
- MnC3 - Matapeake silt loam, 5-10%, severely eroded, K-factor +
- MnD3 - Matapeake silt loam, 10-15%, severely eroded, K-factor +
- MoA - Matapeake silt loam, silty substratum, 0-2%, K-factor +
- MoB2 - Matapeake silt loam, silty substratum, 2-5%, moderately eroded, K-factor +
- SaA - Sassafras sandy loam, 0-2%, K-factor +
- SaC3 - Sassafras sandy loam, 5-10%, severely eroded, K-factor +
- Tm - Tidal marsh, K-factor -

<p>DWG. NAME - SHEET 3 OF 4</p> <p>RECEIVED MAR 29 2010 CRITICAL AREA COMMISSION Chesapeake & Atlantic Coastal Bays</p>	<p>PRELIMINARY MAJOR SUBDIVISION</p> <p>OF THE LANDS OF</p> <p>SMITH CREEK II</p> <p>FIRST ELECTION DISTRICT, CECIL COUNTY, MARYLAND</p> <p>TAX MAP 58, GRID 3, PARCEL 2</p>	<p>DATE: 10-19-09</p> <p>JOB NO.: 5301</p> <p>FOLDER REF: CE-1272</p>	<p>SCALE: 1"=200'</p> <p>DRAWN BY: J. WALLS</p>
		<p>DATE: _____</p> <p>REVISION: _____</p>	<p>MICHAEL SCOTT INC. 207 MAPLE AVENUE CHESTERTOWN, MD 21620 (410)778-2310</p>



VICINITY MAP
TAX MAP 58, PARCEL 2
INDEX

SHEET 1 OF 4 INDEX SHEET SHOWING ENTIRE SUBDIVISION
SHEET 2 OF 4 CONCEPT MAJOR SUBDIVISION
SHEET 3 OF 4 CONCEPT MAJOR SUBDIVISION
SHEET 4 OF 4 CONCEPT MAJOR SUBDIVISION

- NOTES:
- TAX MAP 58, PARCEL 2, LOT 5
 - LAND OWNER: J. R. HARRISON LLC
895 NOTTINGHAM ROAD
ELKTON, MARYLAND, 21921
 - FOR DEED REFERENCE SEE: W.L.B. 2420/52
FOR PLAT REFERENCE SEE: 777/397 & 1111/34-36
 - SITE IS CURRENTLY ZONED - S.A.R.
TOTAL AREA OF PROPERTY - 145.438 AC.±
AREA OF PROPERTY IN PRIVATE TIDAL WETLANDS - 6.982 AC.±
AREA OF PROPERTY IN THE CRITICAL AREA RCA DESIGNATION - 104.312 AC.±
PROPOSED DENSITY IN THE RCA ZONE IS 1 DWELLING UNIT PER 24.332 AC.±
AREA OF PROPERTY IN THE SAR ZONE - 145.438 AC.±
PROPOSED DENSITY IN THE SAR ZONE IS 1 DWELLING UNIT PER 34.614 AC.±

AREA OF LOT 1 - 64.364 AC.±
AREA OF LOT 2 - 39.273 AC.±
AREA OF LOT 3 - 41.801 AC.±
NUMBER OF PROPOSED LOTS - 3
 - THE LOTS 1 THROUGH 3 SHOWN HEREON IS SUBJECT TO A 5' WIDE DRAINAGE AND UTILITY EASEMENT ALONG ALL SIDE AND REAR PROPERTY LINES.
 - THE AREA OF THIS PROJECT WITHIN THE CHESAPEAKE BAY CRITICAL AREA IS EXEMPT UNDER THE PROVISIONS OF SECTION 3.2B OF THE CECIL COUNTY FOREST CONSERVATION REGULATIONS.
 - THIS PROJECT LIES PARTIALLY WITHIN RCA DESIGNATION CHESAPEAKE BAY CRITICAL AREA.
 - SECTION 193.3 OF THE CECIL COUNTY ZONING ORDINANCE THE DENSITY OF THE RCA ZONE IS ONE DWELLING UNIT PER TWENTY ACRES. THEREFORE BASED ON THIS PLAN FOR THREE LOTS AND THREE DWELLING UNITS, NO ADDITIONAL SUBDIVISION OR DWELLING UNITS MAY OCCUR.
 - TOPOGRAPHY SHOWN HEREON PROVIDED BY POTOMAC AERIAL IN 1998. ELEVATIONS SHOWN HEREON ARE ON NGVD 88 DATUM.
 - SOILS SHOWN HEREON ARE TAKEN FROM U.S.D.A. SOIL SURVEY OF CECIL COUNTY.
 - THE FLOOD PLAIN LINE SHOWN HEREON WAS SCALED FROM FIRM MAP 240019 0065A DATED APRIL 4, 1983. PORTIONS OF PARCEL 2, LOT 5, LOT 6, AND LOT 7 ARE IN FLOOD ZONE A. THE ELEVATION OF THE FLOOD ZONE A IS NOT DETERMINED PER THE FIRM MAP.

TAX MAP 53, PARCEL 25, LOT 4B
LANDS OF
JAN VAN EYDHOVEN et ux
W.L.B. 1320/429 PLAT REF: 1057/958
ZONE-SAR
USE-AGRICULTURAL

TAX MAP 53, PARCEL 25, LOT 3B
LANDS OF
GARY G. SCHLARAUM et ux
W.L.B. 1104/53 PLAT REF: 1057/958
ZONE-SAR
USE-AGRICULTURAL

TAX MAP 53, PARCEL 25, LOT 2B
LANDS OF
GARY G. SCHLARAUM et ux
W.L.B. 671/238 PLAT REF: 817/479
ZONE-SAR
USE-AGRICULTURAL

TAX MAP 58, PARCEL 77, LOT 4
LANDS OF
J. R. HARRISON LLC
W.L.B. 2420/52 PLAT REF: 1111/34-36
ZONE-SAR
USE-AGRICULTURAL

TAX MAP 58, PARCEL 77, LOT 3
LANDS OF
TAYLOR CAMMERON et ux
W.L.B. 1423/24 PLAT REF: 839/512
ZONE-RESIDENTIAL
USE-RESIDENTIAL

TAX MAP 58, PARCEL 77, LOT 5
LANDS OF
G. CLIFFORD COOPER et ux
W.L.B. 889/788 PLAT REF: 839/521
ZONE-SAR
USE-RESIDENTIAL

TAX MAP 58, PARCEL 76, LOT 1
LANDS OF
PAUL N. DEWITT et ux
W.L.B. 889/788 PLAT REF: 805/456
ZONE-SAR
USE-RESIDENTIAL

TAX MAP 58, PARCEL 76, LOT 2
LANDS OF
JOHN H. CURTIS et ux
W.L.B. 824/599 PLAT REF: 805/456
ZONE-SAR
USE-AGRICULTURAL

TAX MAP 58, PARCEL 19
LANDS OF
UNITED BANK OF DENVER
N.D.S. 327/666
ZONE-SAR
USE-AGRICULTURAL

Received
OCT 21 2009
Cecil County Office
of Planning & Zoning

NO DEVELOPMENT IS PERMITTED IN THE TIDAL WETLANDS AND TIDAL WATERS BUFFER, INCLUDING SEPTIC SYSTEMS, IMPERVIOUS SURFACES, PARKING AREAS, ROADS, OR STRUCTURES.

NO CLEARING OR GRADING IS PERMITTED BEYOND THE LIMITS OF DISTURBANCE SHOWN HEREON. ANY EXPANDED CLEARING AND/OR GRADING IN THE ABSENCE OF AN APPROVED REVISED LOT GRADING PLAN MAY BE CONSIDERED NONCOMPLIANCE WITH CHAPTER 251 OF THE CECIL COUNTY CODE AND EITHER OR BOTH THE DEVELOPER AND/OR BUILDER MAY BE SUBJECT TO THE ENFORCEMENT OF THE PENALTY PROVISIONS THEREIN.

THE FOREST CONSERVATION RETENTION AREA WITHIN THE CRITICAL AREA AS SHOWN HEREON, AND AS DESCRIBED BY ITS METES AND BOUNDS, IS INTENDED TO SATISFY A STORM WATER MANAGEMENT REQUIREMENT, THEREFORE IT IS TO REMAIN AS A PERMANENT EASEMENT, EXCEPT FOR MAINTAINING THE NATURAL VEGETATIVE COVER.

AN AGRICULTURAL OPERATION IS BEING CONDUCTED ON A CONTIGUOUS PROPERTY AND SAID AGRICULTURAL OPERATION IS PROTECTED FROM NUISANCE CLAIMS PROVIDED THE CONDITIONS OF ARTICLE 1, SUBSECTION 4 ARE BEING COMPLIED WITH.

OWNER'S CERTIFICATE

CERTIFICATION IS HEREBY MADE THAT TO THE BEST OF MY KNOWLEDGE THE REQUIREMENTS OF THE SECTION 3-10B, REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, CONCERNING THE PREPARATION OF THIS PLAT AND THE SETTING OF MARKERS, HAVE BEEN COMPLIED WITH.

HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN ON THIS PLAN, AND THIS SUBDIVISION PLAT (THEREOF) WAS MADE AT MY DISCRETION.

LAND OWNER _____ DATE _____

LEGEND

- DENOTES FOREST CONSERVATION
- DENOTES SLOPES GREATER THAN 25%
- DENOTES SLOPES BETWEEN 15% & 25%

SURVEYOR'S CERTIFICATE

CERTIFICATION IS HEREBY MADE THAT PREPARATION OF THIS SUBDIVISION IS IN COMPLIANCE WITH SECTION 3-10B, REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND SUBSEQUENT AMENDMENTS.

REGISTERED MARYLAND LAND SURVEYOR _____ DATE _____
MICHAEL A. SCOTT
207 S. MAPLE AVENUE
CHESTERTOWN MD. 21620

COORDINATE TABLE

NO.	NORTHING	EASTING
△ 11482.6212	3530.3277	
△ 11137.3913	3893.1262	
△ 11004.9639	3854.6691	

● - DENOTES PROPOSED WELL
⊙ - DENOTES FIELD LOCATED PERC TEST

PERC DATA

PERC #	DEPTH	MIN.
PERC #22	6.5' DEEP	14 MIN.
PERC #23	12' DEEP	6 MIN.
PERC #67	10' DEEP	3 MIN.
PERC #68	14' DEEP	O.H.
PERC #69	9' DEEP	2 MIN.
PERC #70	13' DEEP	O.H.
PERC #71	8' DEEP	5 MIN.
PERC #72	13' DEEP	O.H.
PERC #73	12' DEEP	O.H.
PERC #74	8' DEEP	2 MIN.
PERC #75	13' DEEP	SEASONAL TEST
PERC #76	14' DEEP	O.H.
PERC #77	10' DEEP	5 MIN.
PERC #78	8' DEEP	4 MIN.
PERC #79	12' DEEP	O.H.
PERC #80	13' DEEP	O.H.
PERC #81	7' DEEP	1 MIN.
PERC #82	11' DEEP	O.H.
PERC #83	7' DEEP	1 MIN.
PERC #84	9' DEEP	2 MIN.
PERC #85	13' DEEP	O.H.

DWG. NAME - SHEET 1 OF 4

CONCEPT MAJOR SUBDIVISION
OF THE LANDS OF
SMITH CREEK II
FIRST ELECTION DISTRICT, CECIL COUNTY, MARYLAND
TAX MAP 58, GRID 3, PARCEL 2

DATE	10-19-09	SCALE	1"=300'
JOB NO.	5301	DRAWN BY	J. WALLS
FOLDER REF	CE-1272		
DATE		REVISION	

DATE		SCALE	
JOB NO.		DRAWN BY	
FOLDER REF			
DATE		REVISION	

MICHAEL SCOTT INC.
207 MAPLE AVENUE CHESTERTOWN, MD 21620 (410)778-2310

RECEIVED
OCT 23 2009
CRITICAL AREA COMMISSION
Chesapeake & Potomac Coastal Bays
DATE _____ SEAL _____

TAX MAP 53, PARCEL 25, LOT 3B
LANDS OF
GARY G. SCHLARBAUM et ux.
W.L.B. 1104/563 PLAT REF: 1057/958
ZONE-SAR
USE-AGRICULTURAL

TAX MAP 53, PARCEL 25, LOT 2B
LANDS OF
GARY G. SCHLARBAUM et ux.
W.L.B. 795/722 & W.L.B. 871/238 PLAT REF: 817/479
ZONE-SAR
USE-AGRICULTURAL

TAX MAP 58, PARCEL 77, LOT 4
LANDS OF
J. R. HARRISON LLC.
W.L.B. 2420/52 PLAT REF: 1111/34-36
ZONE-SAR
USE-AGRICULTURAL

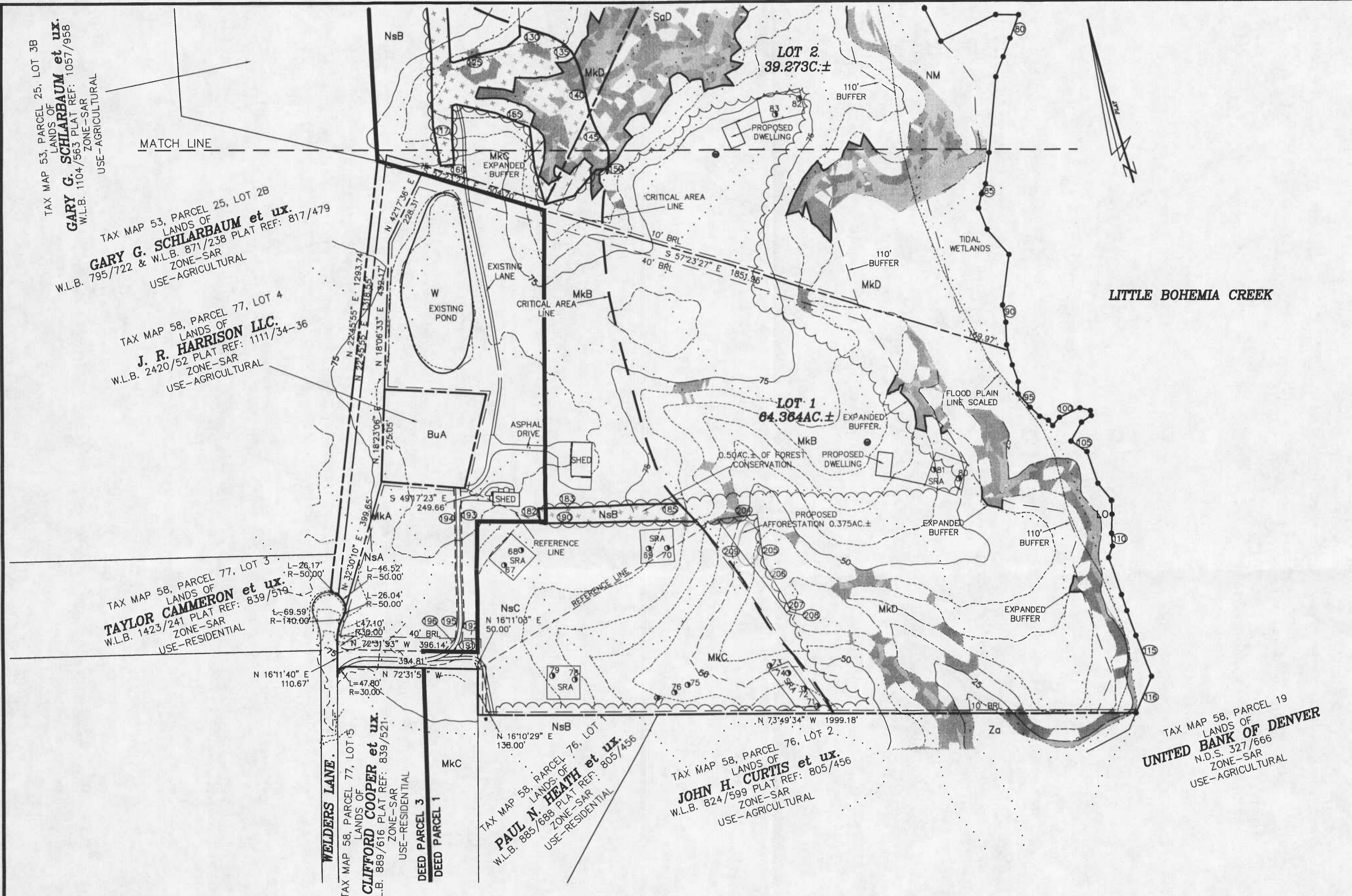
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LANDS OF
TAYLOR CAMMERON et ux.
W.L.B. 1423/241 PLAT REF: 839/519
ZONE-SAR
USE-RESIDENTIAL

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LANDS OF
C. CLIFFORD COOPER et ux.
W.L.B. 889/616 PLAT REF: 839/521
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USE-RESIDENTIAL

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TAX MAP 58, PARCEL 19
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⊙ - DENOTES PROPOSED WELL
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PERC DATA

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PERC #70	13'	DEEP	O.H.
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PERC #72	13'	DEEP	O.H.
PERC #73	12'	DEEP	O.H.
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PERC #83	7'	DEEP	1 MIN.
PERC #84	9'	DEEP	2 MIN.
PERC #85	13'	DEEP	O.H.

⊕ - DENOTES FOREST CONSERVATION
 [Shaded Area] - DENOTES SLOPES GREATER THAN 25%
 [Dotted Area] - DENOTES SLOPES BETWEEN 15% & 25%

SURVEYOR'S CERTIFICATE

CERTIFICATION IS HEREBY MADE THAT PREPARATION OF THIS SUBDIVISION IS IN COMPLIANCE WITH SECTION 3-108, REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND SUBSEQUENT AMENDMENTS.

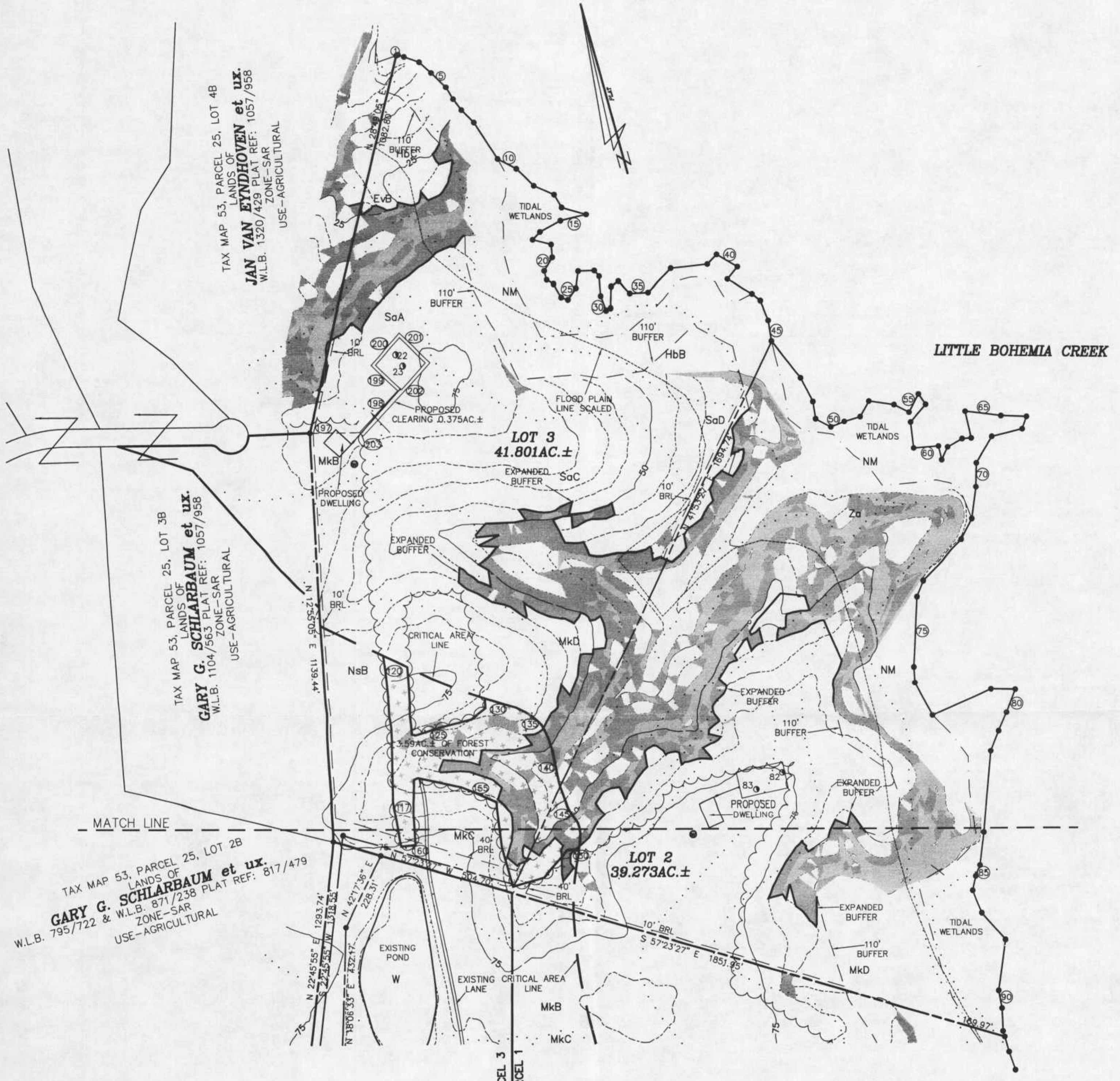
REGISTERED MARYLAND LAND SURVEYOR _____ DATE _____
 MICHAEL A. SCOTT
 207 S. MAPLE AVENUE
 CHESTERTOWN MD. 21620

RECEIVED
 OCT 23 2009
 CRITICAL AREA COMMISSION
 Chesapeake & Atlantic Coastal EBS

MICHAEL A. SCOTT INC.
 207 MAPLE AVENUE CHESTERTOWN, MD 21620 (410)778-2310

SCALE	1"=200'
DATE	10-19-09
JOB NO.	5301
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DRAWN BY	J. WALLS
REVISION	
DATE	

CONCEPT MAJOR SUBDIVISION
 OF THE LANDS OF
SMITH CREEK II
 FIRST ELECTION DISTRICT, CECIL COUNTY, MARYLAND
 TAX MAP 58, GRID 3, PARCEL 2



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LITTLE BOHEMIA CREEK

● - DENOTES PROPOSED WELL
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PERC DATA

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PERC #71	8'	DEEP	5 MIN.
PERC #72	13'	DEEP	O.H.
PERC #73	12'	DEEP	O.H.
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PERC #79	12'	DEEP	O.H.
PERC #80	13'	DEEP	O.H.
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PERC #84	9'	DEEP	2 MIN.
PERC #85	13'	DEEP	O.H.

- DENOTES FOREST CONSERVATION
- DENOTES DEED RESTRICTED FOREST
- DENOTES SLOPES GREATER THAN 25%
- DENOTES SLOPES BETWEEN 15% & 25%

SURVEYOR'S CERTIFICATE

CERTIFICATION IS HEREBY MADE THAT PREPARATION OF THIS SUBDIVISION IS IN COMPLIANCE WITH SECTION 3-108, REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND SUBSEQUENT AMENDMENTS.

REGISTERED MARYLAND LAND SURVEYOR _____ DATE _____
 MICHAEL A. SCOTT
 207 S. MAPLE AVENUE
 CHESTERTOWN MD. 21620

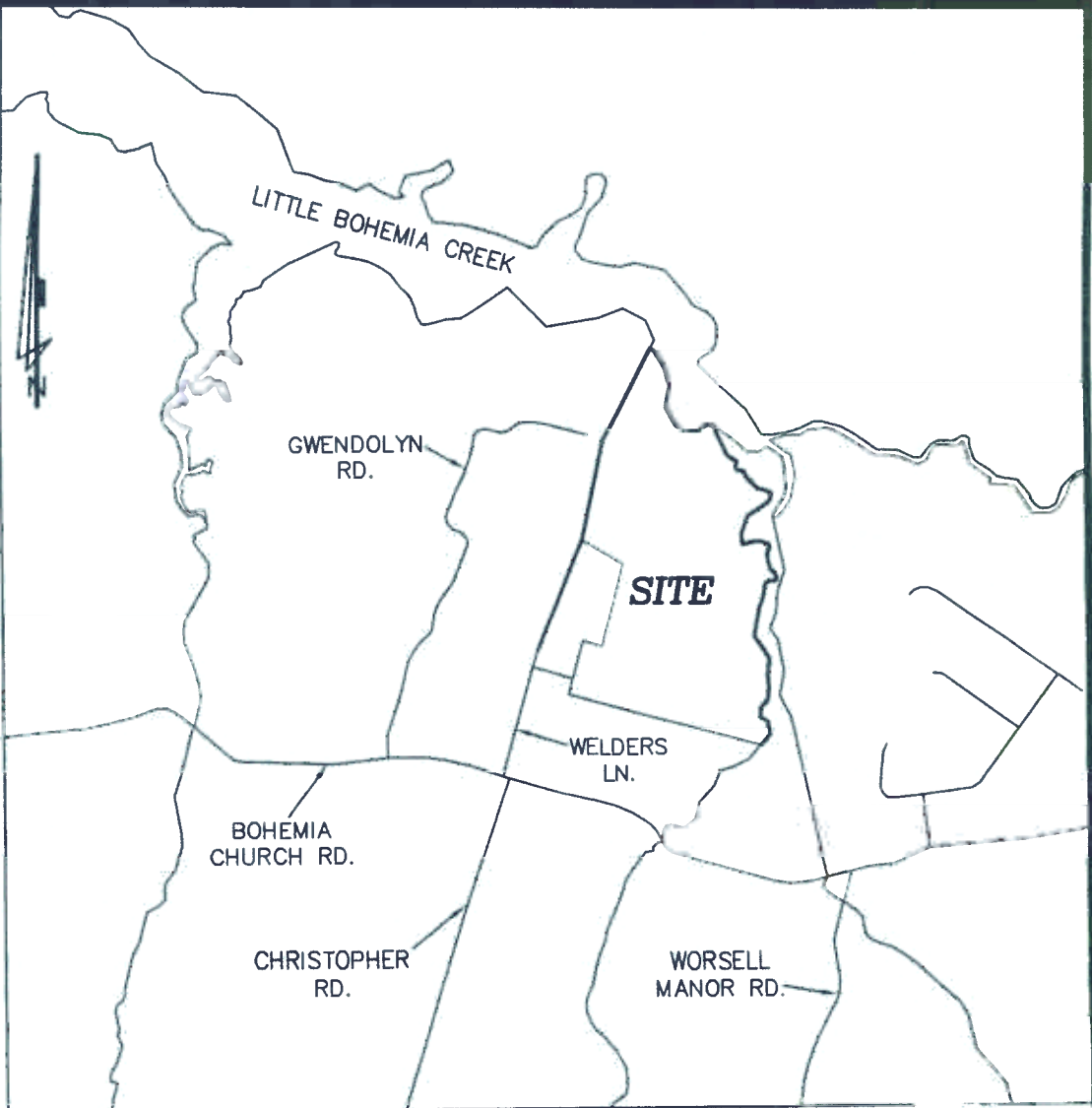
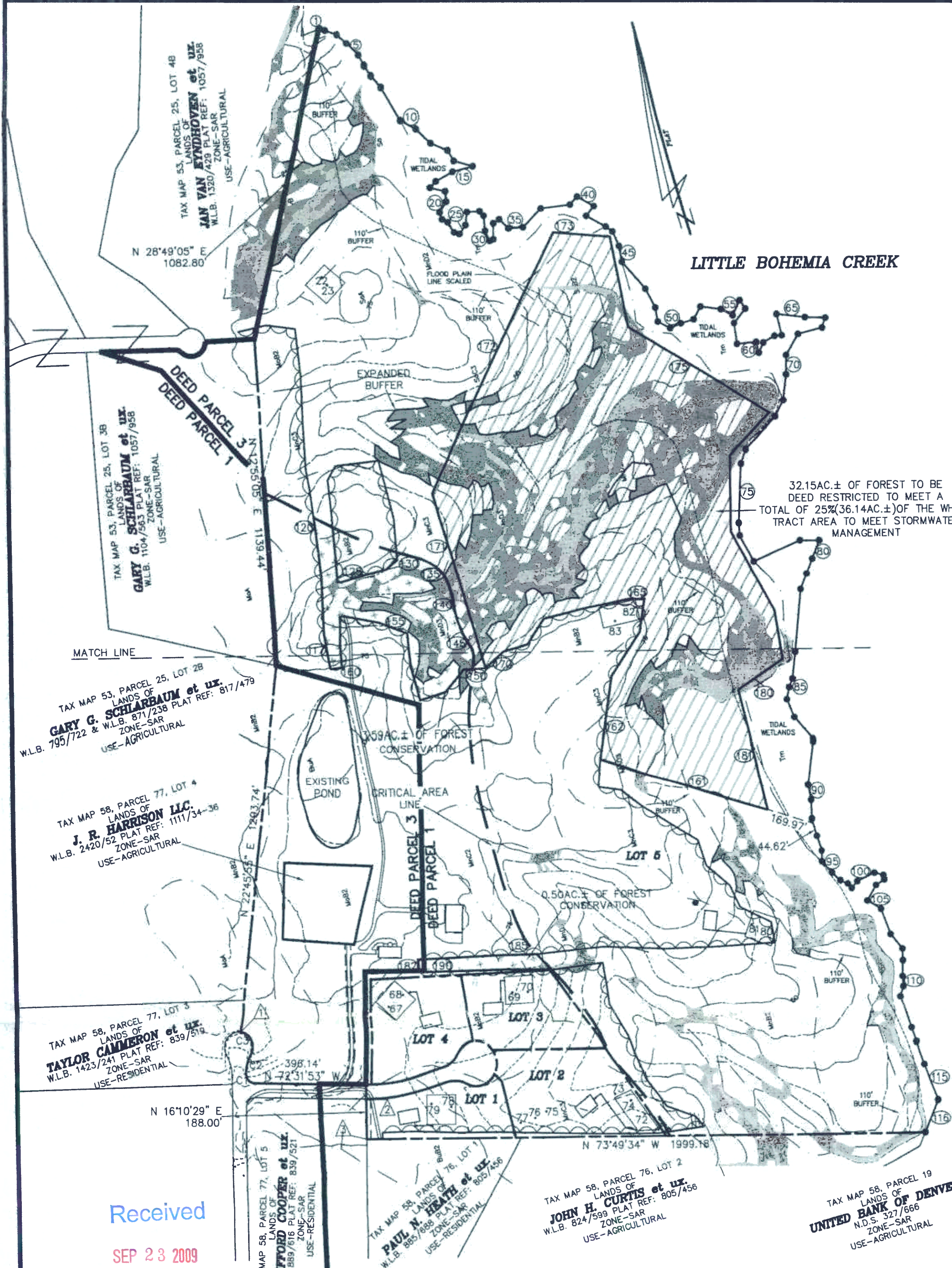
CONCEPT MAJOR SUBDIVISION
 OF THE LANDS OF
SMITH CREEK II
 FIRST ELECTION DISTRICT, CECIL COUNTY, MARYLAND
 TAX MAP 58, GRID 3, PARCEL 2

DATE	10-19-09	SCALE	1"=200'
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MICHAEL SCOTT INC.
 207 MAPLE AVENUE CHESTERTOWN, MD 21620 (410)778-2310

RECEIVED
 OCT 23 2009
 CRITICAL AREA COMMISSION
 Chesapeake & Atlantic Coastal Bays
 DATE _____ SEAL _____

DWG. NAME - SHEET 3 OF 4



VICINITY MAP
TAX MAP 58, PARCEL 2
INDEX

SHEET 1 OF 5 INDEX SHEET SHOWING ENTIRE SUBDIVISION
SHEET 2 OF 5 FINAL MAJOR SUBDIVISION
SHEET 3 OF 5 FINAL MAJOR SUBDIVISION
SHEET 4 OF 5 FINAL MAJOR SUBDIVISION
SHEET 5 OF 5 FINAL MAJOR SUBDIVISION COURSES & DISTANCES TABLES

- NOTES:
- TAX MAP 58, PARCEL 2
 - LAND OWNER: J. R. HARRISON LLC
895 NOTTINGHAM ROAD
ELKTON, MARYLAND, 21921
 - FOR DEED REFERENCE SEE: W.L.B. 2420/52
FOR PLAT REFERENCE SEE: 777/397 & 1111/34-36
 - SITE IS CURRENTLY ZONED - S.A.R.
TOTAL AREA OF PROPERTY - 144.941 AC.±
AREA OF PROPERTY IN THE CRITICAL AREA RCA DESIGNATION - 104.312 AC.±
PROPOSED DENSITY IN THE RCA ZONE IS 1 DWELLING UNIT PER 104.312 AC.±
AREA OF PROPERTY IN THE SAR ZONE - 144.941 AC.±
PROPOSED DENSITY IN THE SAR ZONE IS 1 DWELLING UNIT PER 24.16 AC.±
AREA OF LOT 1 - 1.984 AC.±
AREA OF LOT 2 - 3.254 AC.±
AREA OF LOT 3 - 2.475 AC.±
AREA OF LOT 4 - 2.592 AC.±
AREA OF LOT 5 - 133.791 AC.±
NUMBER OF PROPOSED LOTS - 5
AREA OF SMITH CREEK LANE (MINOR ROAD) - 0.845 AC.±
 - THE LOTS 1 THROUGH 5 SHOWN HEREON IS SUBJECT TO A 5' WIDE DRAINAGE AND UTILITY EASEMENT ALONG ALL SIDE AND REAR PROPERTY LINES.
 - THE AREA OF THIS PROJECT WITHIN THE CHESAPEAKE BAY CRITICAL AREA IS EXEMPT UNDER THE PROVISIONS OF SECTION 3.2B OF THE CECIL COUNTY FOREST CONSERVATION REGULATIONS.
 - THIS PROJECT LIES PARTIALLY WITHIN RCA DESIGNATION CHESAPEAKE BAY CRITICAL AREA.
 - SECTION 193.3 OF THE CECIL COUNTY ZONING ORDINANCE THE DENSITY OF THE RCA ZONE IS ONE DWELLING UNIT PER TWENTY ACRES. THEREFORE BASED ON THIS PLAN FOR ONE LOT AND ONE DWELLING UNIT, ADDITIONAL SUBDIVISIONS OR FOUR DWELLING UNITS MAY OCCUR.
 - TOPOGRAPHY SHOWN HEREON PROVIDED BY POTOMAC AERIAL IN 1998. ELEVATIONS SHOWN HEREON ARE ON NGVD 88 DATUM.
 - SOILS SHOWN HEREON ARE TAKEN FROM U.S.D.A. SOIL SURVEY OF CECIL COUNTY.
 - THE FLOOD PLAIN LINE SHOWN HEREON WAS SCALED FROM FIRM MAP 240019 0065A DATED APRIL 4, 1983. PORTIONS OF PARCEL 2, LOT 5 ARE IN FLOOD ZONE A. THE ELEVATION OF THE FLOOD ZONE A IS NOT DETERMINED PER THE FIRM MAP.

TAX MAP 53, PARCEL 25, LOT 48
JAY VAN HANNOVEN et ux
W.L.B. 1320/423 PLAT REF: 1057/958
ZONE-SAR
USE-AGRICULTURAL

TAX MAP 53, PARCEL 25, LOT 38
GARY G. SCHWARZBAUM et ux
W.L.B. 1104/593 PLAT REF: 1057/958
ZONE-SAR
USE-AGRICULTURAL

TAX MAP 53, PARCEL 25, LOT 28
LANDS OF
GARY G. SCHWARZBAUM et ux
W.L.B. 871/238 PLAT REF: 817/479
ZONE-SAR
USE-AGRICULTURAL

TAX MAP 58, PARCEL 77, LOT 4
J. R. HARRISON LLC
W.L.B. 2420/52 PLAT REF: 1111/34-36
ZONE-AGRICULTURAL

TAX MAP 58, PARCEL 77, LOT 3
LANDS OF
TAYLOR CAMERON et ux
W.L.B. 1423/241 PLAT REF: 839/519
ZONE-SAR
USE-RESIDENTIAL

TAX MAP 58, PARCEL 77, LOT 5
LANDS OF
C. CLIFFORD COOPER et ux
W.L.B. 889/916 PLAT REF: 839/521
ZONE-RESIDENTIAL

TAX MAP 58, PARCEL 76, LOT 1
LANDS OF
PAUL N. HEATH et ux
W.L.B. 885/788 PLAT REF: 805/456
ZONE-RESIDENTIAL

TAX MAP 58, PARCEL 76, LOT 2
LANDS OF
JOHN H. CURTIS et ux
W.L.B. 824/599 PLAT REF: 805/456
ZONE-SAR
USE-AGRICULTURAL

TAX MAP 58, PARCEL 19
LANDS OF
UNITED BANK OF DENVER
N.D.S. 327/666
ZONE-SAR
USE-AGRICULTURAL

NO DEVELOPMENT IS PERMITTED IN THE TIDAL WETLANDS AND TIDAL WATERS BUFFER, INCLUDING SEPTIC SYSTEMS, IMPERVIOUS SURFACES, PARKING AREAS, ROADS, OR STRUCTURES.

A LOT GRADING PLAN HAS BEEN APPROVED BY THE CECIL COUNTY DEPARTMENT OF PUBLIC WORKS FOR THE WORK SHOWN HEREON. A CONSTRUCTION AS-BUILT SHALL BE SUBMITTED TO THE CECIL COUNTY DEPARTMENT OF PUBLIC WORKS PRIOR TO USE AND/OR OCCUPANCY OF ANY OF THE SITES SHOWN HEREON. ANY CHANGES TO THE FOREST RETENTION, AFFORESTATION, AND/OR REFORESTATION WILL REQUIRE A CONSISTENCY REVIEW OF THE STORM WATER MANAGEMENT APPROVAL, WITH CECIL COUNTY DEPARTMENT OF PUBLIC WORKS.

NO CLEARING OR GRADING IS PERMITTED BEYOND THE LIMITS OF DISTURBANCE SHOWN HEREON. ANY EXPANDED CLEARING AND/OR GRADING IN THE ABSENCE OF AN APPROVED REVISED LOT GRADING PLAN MAY BE CONSIDERED NONCOMPLIANCE WITH CHAPTER 251 OF THE CECIL COUNTY CODE AND EITHER OR BOTH THE DEVELOPER AND/OR BUILDER MAY BE SUBJECT TO THE ENFORCEMENT OF THE PENALTY PROVISIONS THEREIN.

THE FOREST CONSERVATION RETENTION AREA WITHIN THE CRITICAL AREA AS SHOWN HEREON, AND AS DESCRIBED BY ITS METES AND BOUNDS, IS INTENDED TO SATISFY A STORM WATER MANAGEMENT REQUIREMENT, THEREFORE IT IS TO REMAIN AS A PERMANENT EASEMENT, EXCEPT FOR MAINTAINING THE NATURAL VEGETATIVE COVER.

AN AGRICULTURAL OPERATION IS BEING CONDUCTED ON A CONTIGUOUS PROPERTY AND SAID AGRICULTURAL OPERATION IS PROTECTED FROM NUISANCE CLAIMS PROVIDED THE CONDITIONS OF ARTICLE 1, SUBSECTION 4 ARE BEING COMPLIED WITH.

OWNER'S CERTIFICATE

CERTIFICATION IS HEREBY MADE THAT TO THE BEST OF MY KNOWLEDGE THE REQUIREMENTS OF THE SECTION 3-108, REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, CONCERNING THE PREPARATION OF THIS PLAT AND THE SETTING OF MARKERS, HAVE BEEN COMPLIED WITH.

HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN ON THIS PLAN, AND THIS SUBDIVISION PLAT (THEREOF) WAS MADE AT MY DISCRETION.

LAND OWNER _____ DATE _____

LEGEND

- DENOTES FOREST CONSERVATION
- DENOTES DEED RESTRICTED FOREST
- DENOTES SLOPES GREATER THAN 25%
- DENOTES SLOPES BETWEEN 15% & 25%

SURVEYOR'S CERTIFICATE

CERTIFICATION IS HEREBY MADE THAT PREPARATION OF THIS SUBDIVISION IS IN COMPLIANCE WITH SECTION 3-108, REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND SUBSEQUENT AMENDMENTS.

REGISTERED MARYLAND LAND SURVEYOR _____ DATE _____
MICHAEL A. SCOTT
207 S. MAPLE AVENUE
CHESTERTOWN MD. 21620

COORDINATE TABLE

NO.	NORTHING	EASTING
△	11482.6212	3530.3277
△	11137.3913	3893.1262
△	11004.9639	3854.6691

● - DENOTES PROPOSED WELL
△ - DENOTES FIELD LOCATED PERC TEST

PERC DATA

PERC #	DEPTH	MIN.
PERC #22	6.5' DEEP	14 MIN.
PERC #23	12' DEEP	6 MIN.
PERC #67	10' DEEP	3 MIN.
PERC #68	14' DEEP	O.H.
PERC #69	9' DEEP	2 MIN.
PERC #70	13' DEEP	O.H.
PERC #71	8' DEEP	5 MIN.
PERC #72	13' DEEP	O.H.
PERC #73	12' DEEP	O.H.
PERC #74	8' DEEP	2 MIN.
PERC #75	13' DEEP	SEASONAL TEST
PERC #76	14' DEEP	O.H.
PERC #77	10' DEEP	5 MIN.
PERC #78	8' DEEP	4 MIN.
PERC #79	12' DEEP	O.H.
PERC #80	13' DEEP	O.H.
PERC #81	7' DEEP	1 MIN.
PERC #82	11' DEEP	O.H.
PERC #83	7' DEEP	1 MIN.
PERC #84	9' DEEP	2 MIN.
PERC #85	13' DEEP	O.H.

DWG. NAME - SHEET 1 OF 5

FINAL MAJOR SUBDIVISION

OF THE LANDS OF

SMITH CREEK II

FIRST ELECTION DISTRICT, CECIL COUNTY, MARYLAND

TAX MAP 58, GRID 3, PARCEL 2

DATE	9-8-09	SCALE	1"=300'
JOB NO.	5301	DRAWN BY	J. WALLS
FOLDER REF	CE-1272		
DATE		REVISION	

DATE	9-8-09	SCALE	1"=300'
JOB NO.	5301	DRAWN BY	J. WALLS
FOLDER REF	CE-1272		
DATE		REVISION	

MICHAEL A. SCOTT INC.
207 MAPLE AVENUE CHESTERTOWN, MD 21620 (410)778-2310





TAX MAP 58, PARCEL 77, LOT 5
C. CLIFFORD COOPER et ux.
 W.L.B. 889/616 PLAT REF: 839/521
 ZONE-SAR
 USE-RESIDENTIAL

TAX MAP 58, PARCEL 76, LOT 1
PAUL N. HEATH et ux.
 W.L.B. 885/688 PLAT REF: 805/456
 ZONE-SAR
 USE-RESIDENTIAL

TAX MAP 58, PARCEL 76, LOT 2
JOHN H. CURTIS et ux.
 W.L.B. 824/599 PLAT REF: 805/456
 ZONE-SAR
 USE-AGRICULTURAL

APPROVED: _____
 DIRECTOR DATE

APPROVED: _____
 DIRECTOR DATE

APPROVED: _____
 DIRECTOR OR SENIOR ENGINEER DATE

SURVEYOR'S CERTIFICATE
 CERTIFICATION IS HEREBY MADE THAT PREPARATION OF THIS SUBDIVISION IS IN COMPLIANCE WITH SECTION 3-108, REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND SUBSEQUENT AMENDMENTS.

REGISTERED MARYLAND LAND SURVEYOR _____ DATE
 MICHAEL A. SCOTT
 207 S. MAPLE AVENUE
 CHESTERTOWN MD. 21620

● - DENOTES PROPOSED WELL
 ○ - DENOTES PERC TEST

PERC DATA

PERC #22	6.5'	DEEP	14 MIN.
PERC #23	12'	DEEP	6 MIN.
PERC #67	10'	DEEP	3 MIN.
PERC #68	14'	DEEP	O.H.
PERC #69	9'	DEEP	2 MIN.
PERC #70	13'	DEEP	O.H.
PERC #71	8'	DEEP	5 MIN.
PERC #72	13'	DEEP	O.H.
PERC #73	12'	DEEP	O.H.
PERC #74	8'	DEEP	2 MIN.
PERC #75	13'	DEEP	SEASONAL TEST
PERC #76	14'	DEEP	O.H.
PERC #77	10'	DEEP	5 MIN.
PERC #78	8'	DEEP	4 MIN.
PERC #79	12'	DEEP	O.H.
PERC #80	13'	DEEP	O.H.
PERC #81	7'	DEEP	1 MIN.
PERC #82	11'	DEEP	O.H.
PERC #83	7'	DEEP	1 MIN.
PERC #84	9'	DEEP	2 MIN.
PERC #85	13'	DEEP	O.H.

★ - DENOTES FOREST CONSERVATION
 ▨ - DENOTES SLOPES GREATER THAN 25%
 ▩ - DENOTES SLOPES BETWEEN 15% & 25%

DWG. NAME - SHEET 2 OF 5

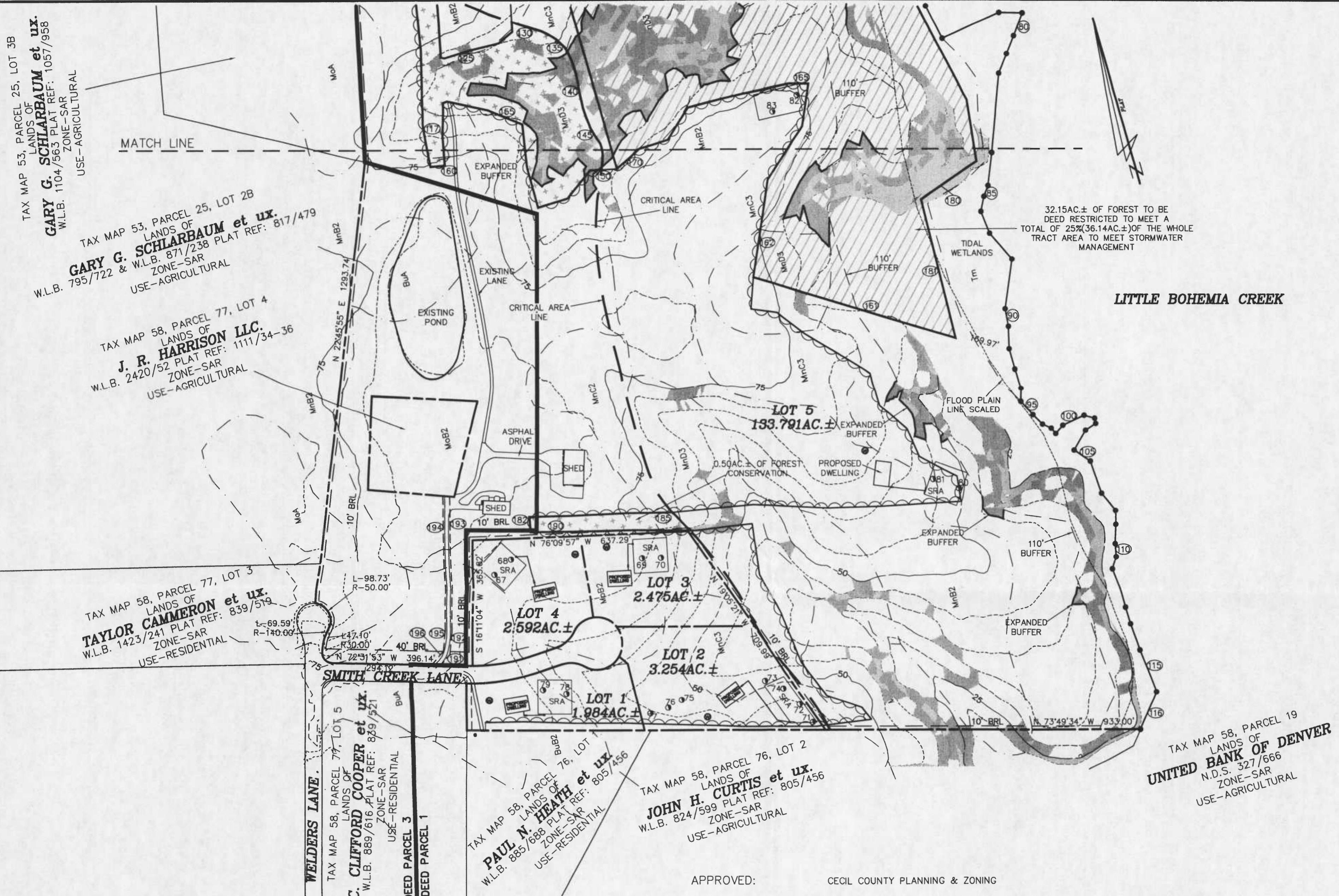
FINAL MAJOR SUBDIVISION
 OF THE LANDS OF
SMITH CREEK II
 FIRST ELECTION DISTRICT, CECIL COUNTY, MARYLAND
 TAX MAP 58, GRID 3, PARCEL 2

DATE	9-8-09	SCALE	1"=100'
JOB NO.	5301	DRAWN BY	J. WALLS
FOLDER REF	CE-1272		
DATE		REVISION	

MICHAEL SCOTT INC.
 207 MAPLE AVENUE CHESTERTOWN, MD 21620 (410)778-2310

STATE OF MARYLAND
 MICHAEL A. SCOTT
 REGISTERED
 PROPERTY LINE SURVEYOR

9/23/09
 DATE SEAL



MICHAEL A. SCOTT INC.
 207 MAPLE AVENUE CHESTERTOWN, MD 21620 (410)778-2310

DATE	9-8-09	SCALE	1"=200'
JOB NO.	5301	DRAWN BY	J. WALLS
FOLDER REF	CE-1272	DATE	
REVISION			

FINAL MAJOR SUBDIVISION
 OF THE LANDS OF
SMITH CREEK II
 FIRST ELECTION DISTRICT, CECIL COUNTY, MARYLAND
 TAX MAP 58, GRID 3, PARCEL 2

- ⊙ - DENOTES PROPOSED WELL
- ⊙ - DENOTES FIELD LOCATED PERC TEST

PERC DATA

PERC #22	6.5'	DEEP	14 MIN.
PERC #23	12'	DEEP	6 MIN.
PERC #67	10'	DEEP	3 MIN.
PERC #68	14'	DEEP	O.H.
PERC #69	9'	DEEP	2 MIN.
PERC #70	13'	DEEP	O.H.
PERC #71	8'	DEEP	5 MIN.
PERC #72	13'	DEEP	O.H.
PERC #73	12'	DEEP	O.H.
PERC #74	8'	DEEP	2 MIN.
PERC #75	13'	DEEP	SEASONAL TEST
PERC #76	14'	DEEP	O.H.
PERC #77	10'	DEEP	5 MIN.
PERC #78	8'	DEEP	4 MIN.
PERC #79	12'	DEEP	O.H.
PERC #80	13'	DEEP	O.H.
PERC #81	7'	DEEP	1 MIN.
PERC #82	11'	DEEP	O.H.
PERC #83	7'	DEEP	1 MIN.
PERC #84	9'	DEEP	2 MIN.
PERC #85	13'	DEEP	O.H.

- ⊕ - DENOTES FOREST CONSERVATION
- ▨ - DENOTES DEED RESTRICTED FOREST
- ▨ - DENOTES SLOPES GREATER THAN 25%
- ▨ - DENOTES SLOPES BETWEEN 15% & 25%

APPROVED: CECIL COUNTY PLANNING & ZONING

 DIRECTOR DATE

APPROVED: CECIL COUNTY DEPARTMENT OF ENVIRONMENTAL HEALTH

 DIRECTOR DATE

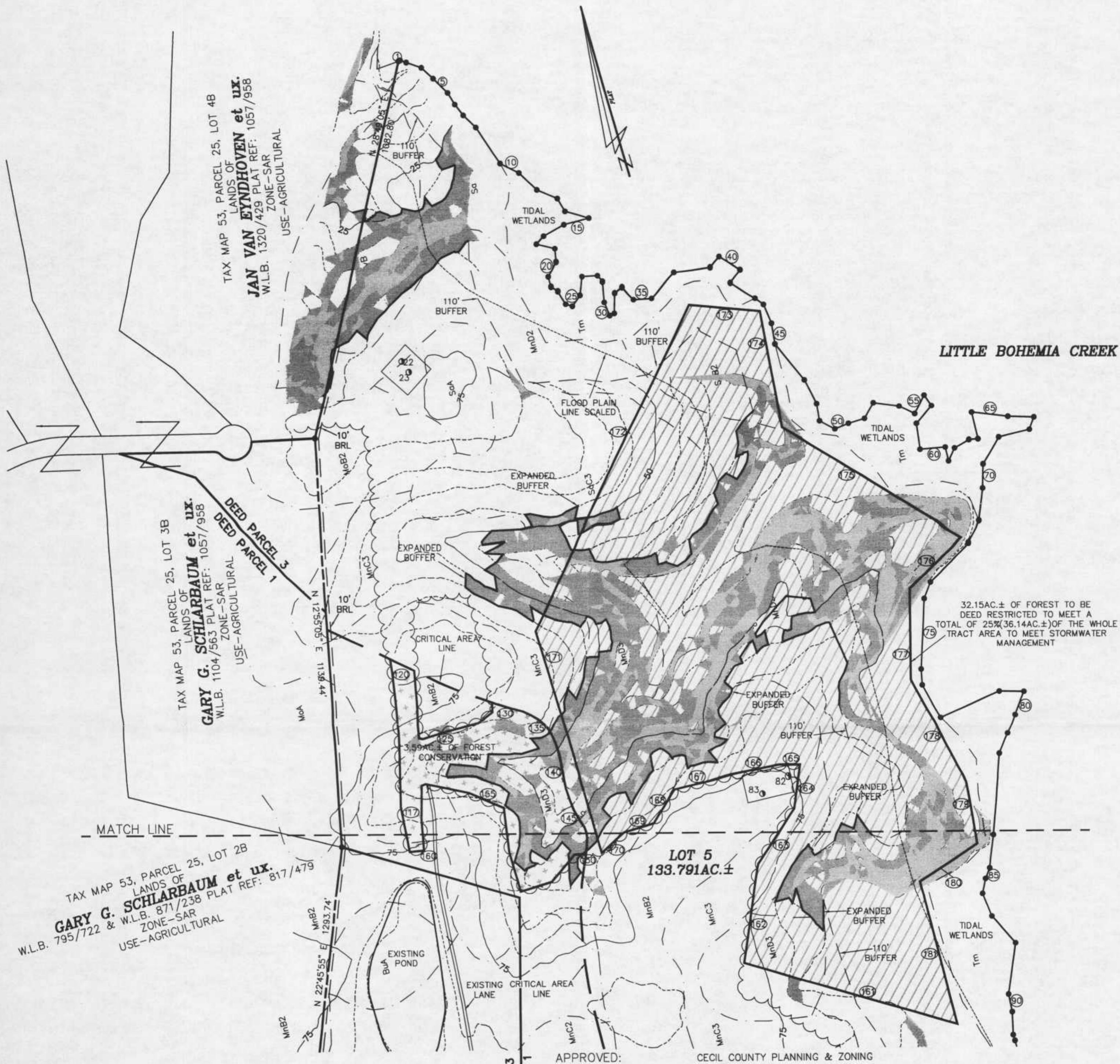
APPROVED: CECIL COUNTY DEPARTMENT OF PUBLIC WORKS

 DIRECTOR OR SENIOR ENGINEER DATE

SURVEYOR'S CERTIFICATE

CERTIFICATION IS HEREBY MADE THAT PREPARATION OF THIS SUBDIVISION IS IN COMPLIANCE WITH SECTION 3-108, REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND SUBSEQUENT AMENDMENTS.

REGISTERED MARYLAND LAND SURVEYOR _____ DATE _____
 MICHAEL A. SCOTT
 207 S. MAPLE AVENUE
 CHESTERTOWN MD. 21620



TAX MAP 53, PARCEL 25, LOT 4B
LANDS OF
JAN VAN EYNHOVEN et ux.
W.L.B. 1320/429 PLAT REF: 1057/958
ZONE-SAR
USE-AGRICULTURAL

TAX MAP 53, PARCEL 25, LOT 3B
LANDS OF
GARY G. SCHLARBAUM et ux.
W.L.B. 1104/563 PLAT REF: 1057/958
ZONE-SAR
USE-AGRICULTURAL

TAX MAP 53, PARCEL 25, LOT 2B
LANDS OF
GARY G. SCHLARBAUM et ux.
W.L.B. 795/722 & W.L.B. 871/238 PLAT REF: 817/479
ZONE-SAR
USE-AGRICULTURAL

LITTLE BOHEMIA CREEK

32.15AC ± OF FOREST TO BE
DEED RESTRICTED TO MEET A
TOTAL OF 25% (36.14AC ±) OF THE WHOLE
TRACT AREA TO MEET STORMWATER
MANAGEMENT

**LOT 5
133.791AC ±**

DEED PARCEL 3
DEED PARCEL 1

APPROVED: _____
DIRECTOR DATE

APPROVED: _____
CECIL COUNTY DEPARTMENT OF ENVIRONMENTAL HEALTH

APPROVED: _____
CECIL COUNTY DEPARTMENT OF PUBLIC WORKS

DIRECTOR OR SENIOR ENGINEER DATE

SURVEYOR'S CERTIFICATE

CERTIFICATION IS HEREBY MADE THAT PREPARATION OF THIS SUBDIVISION IS IN COMPLIANCE WITH SECTION 3-108, REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND SUBSEQUENT AMENDMENTS.

REGISTERED MARYLAND LAND SURVEYOR _____ DATE
MICHAEL A. SCOTT
207 S. MAPLE AVENUE
CHESTERTOWN MD. 21620

- - DENOTES PROPOSED WELL
- - DENOTES FIELD LOCATED PERC TEST

PERC DATA

PERC #22	6.5' DEEP	14 MIN.
PERC #23	12' DEEP	6 MIN.
PERC #67	10' DEEP	3 MIN.
PERC #68	14' DEEP	O.H.
PERC #69	9' DEEP	2 MIN.
PERC #70	13' DEEP	O.H.
PERC #71	8' DEEP	5 MIN.
PERC #72	13' DEEP	O.H.
PERC #73	12' DEEP	O.H.
PERC #74	8' DEEP	2 MIN.
PERC #75	13' DEEP	SEASONAL TEST
PERC #76	14' DEEP	O.H.
PERC #77	10' DEEP	5 MIN.
PERC #78	8' DEEP	4 MIN.
PERC #79	12' DEEP	O.H.
PERC #80	13' DEEP	O.H.
PERC #81	7' DEEP	1 MIN.
PERC #82	11' DEEP	O.H.
PERC #83	7' DEEP	1 MIN.
PERC #84	9' DEEP	2 MIN.
PERC #85	13' DEEP	O.H.

- DENOTES FOREST CONSERVATION
- DENOTES DEED RESTRICTED FOREST
- DENOTES SLOPES GREATER THAN 25%
- DENOTES SLOPES BETWEEN 15% & 25%

FINAL MAJOR SUBDIVISION

OF THE LANDS OF

SMITH CREEK II

FIRST ELECTION DISTRICT, CECIL COUNTY, MARYLAND

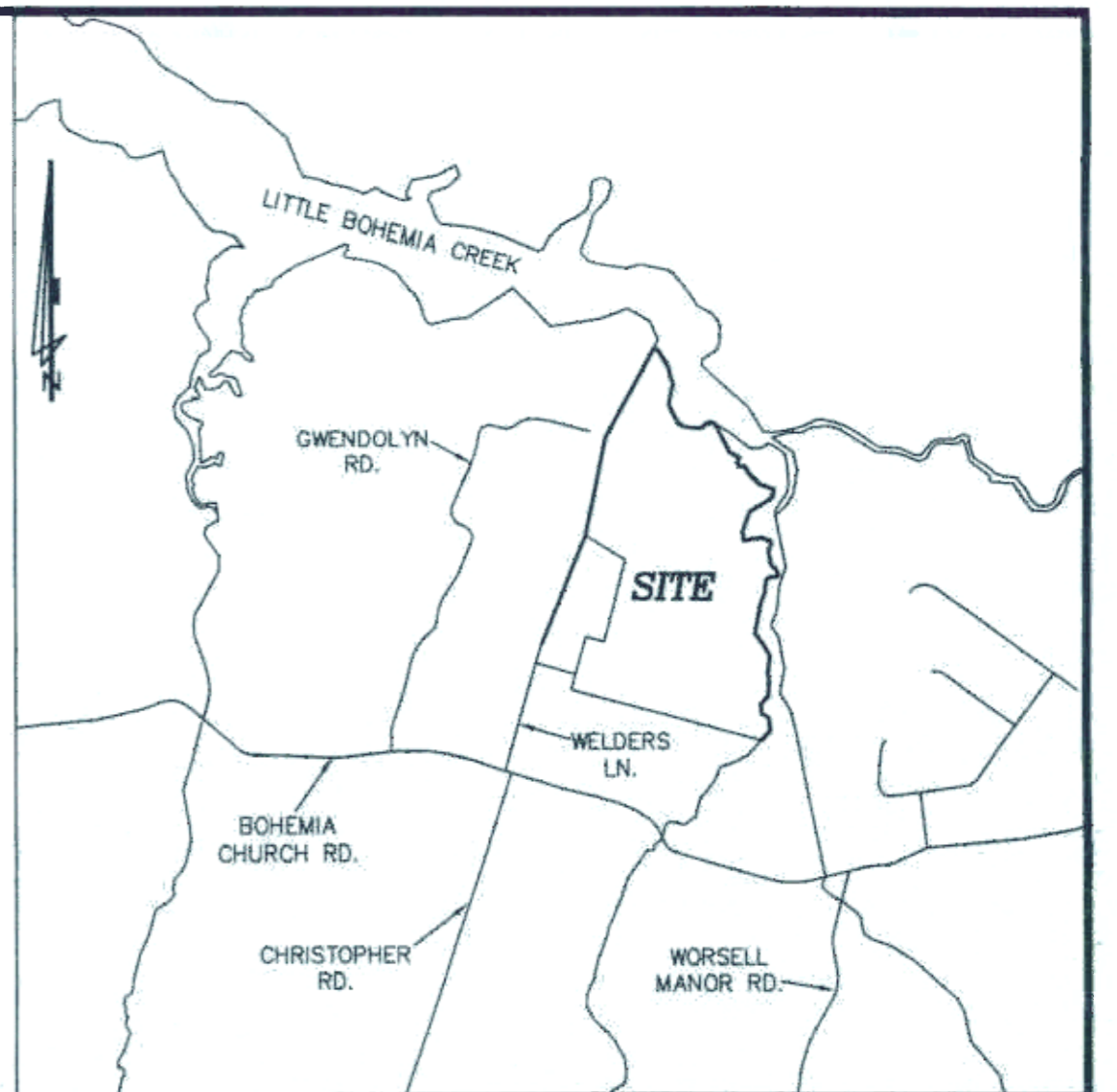
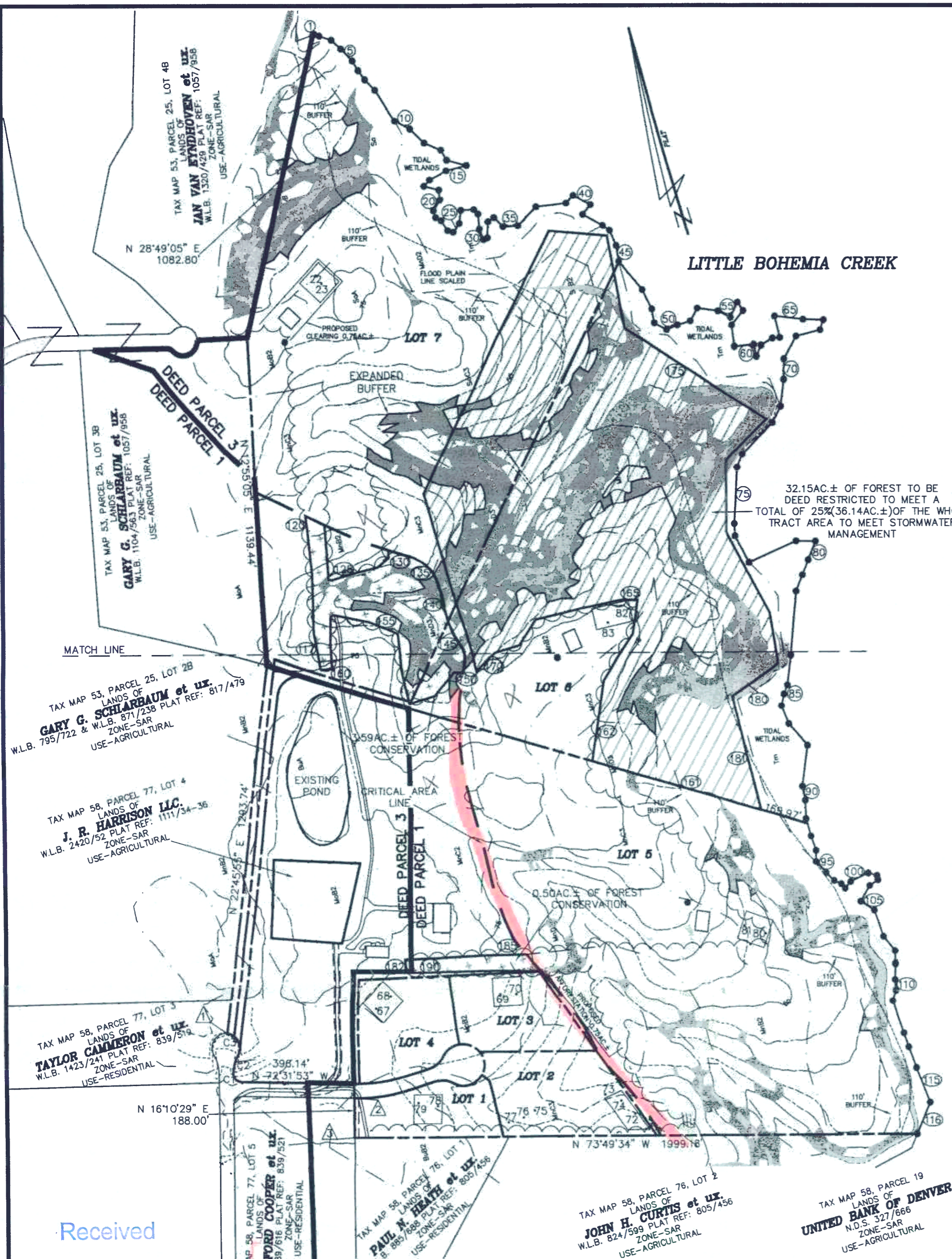
TAX MAP 58, GRID 3, PARCEL 2

DATE	9-8-09	SCALE	1"=200'
JOB NO.	5301	DRAWN BY	J. WALLS
FOLDER REF	CE-1272		
DATE		REVISION	

MICHAEL A. SCOTT INC.
207 MAPLE AVENUE CHESTERTOWN, MD 21620 (410)778-2310



DWG. NAME - SHEET 4 OF 5



VICINITY MAP
TAX MAP 58, PARCEL 2
INDEX

SHEET 1 OF 4 INDEX SHEET SHOWING ENTIRE SUBDIVISION
SHEET 2 OF 4 PRELIMINARY MAJOR SUBDIVISION
SHEET 3 OF 4 PRELIMINARY MAJOR SUBDIVISION
SHEET 4 OF 4 PRELIMINARY MAJOR SUBDIVISION

- NOTES:
- TAX MAP 58, PARCEL 2, LOT 5
 - LAND OWNER: J. R. HARRISON LLC
895 NOTTINGHAM ROAD
ELKTON, MARYLAND, 21921
 - FOR DEED REFERENCE SEE: W.L.B. 2420/52
FOR PLAT REFERENCE SEE: 777/397 & 1111/34-36
 - SITE IS CURRENTLY ZONED - S.A.R.
TOTAL AREA OF PROPERTY - 133.791 AC.±
AREA OF PROPERTY IN THE CRITICAL AREA RCA DESIGNATION - 104.312 AC.±
PROPOSED DENSITY IN THE RCA ZONE IS 1 DWELLING UNIT PER 34.77 AC.±
AREA OF PROPERTY IN THE SAR ZONE - 133.791 AC.±
PROPOSED DENSITY IN THE SAR ZONE IS 1 DWELLING UNIT PER 44.60 AC.±
AREA OF LOT 5 - 53.943 AC.±
AREA OF LOT 6 - 38.047 AC.±
AREA OF LOT 7 - 41.801 AC.±
NUMBER OF PROPOSED LOTS - 3
 - THE LOTS 5 THROUGH 7 SHOWN HEREON IS SUBJECT TO A 5' WIDE DRAINAGE AND UTILITY EASEMENT ALONG ALL SIDE AND REAR PROPERTY LINES.
 - THE AREA OF THIS PROJECT WITHIN THE CHESAPEAKE BAY CRITICAL AREA IS EXEMPT UNDER THE PROVISIONS OF SECTION 3.2B OF THE CECIL COUNTY FOREST CONSERVATION REGULATIONS.
 - THIS PROJECT LIES PARTIALLY WITHIN RCA DESIGNATION CHESAPEAKE BAY CRITICAL AREA.
 - SECTION 193.3 OF THE CECIL COUNTY ZONING ORDINANCE THE DENSITY OF THE RCA ZONE IS ONE DWELLING UNIT PER TWENTY ACRES. THEREFORE BASED ON THIS PLAN FOR THREE LOTS AND THREE DWELLING UNITS, NO ADDITIONAL SUBDIVISION OR DWELLING UNITS MAY OCCUR.
 - TOPOGRAPHY SHOWN HEREON PROVIDED BY POTOMAC AERIAL IN 1998. ELEVATIONS SHOWN HEREON ARE ON NGVD 88 DATUM.
 - SOILS SHOWN HEREON ARE TAKEN FROM U.S.D.A. SOIL SURVEY OF CECIL COUNTY.
 - THE FLOOD PLAIN LINE SHOWN HEREON WAS SCALED FROM FIRM MAP 240019 0065A DATED APRIL 4, 1983. PORTIONS OF PARCEL 2, LOT 5, LOT 6, AND LOT 7 ARE IN FLOOD ZONE A. THE ELEVATION OF THE FLOOD ZONE A IS NOT DETERMINED PER THE FIRM MAP.
 - LOT COVERAGE CALCULATIONS
LOT 5 PROPOSED LOT COVERAGE IN THE CRITICAL AREA - 1.05 AC.±(1.95%)
LOT 6 PROPOSED LOT COVERAGE IN THE CRITICAL AREA - 1.27 AC.±(3.34%)
LOT 7 PROPOSED LOT COVERAGE IN THE CRITICAL AREA - 1.00 AC.±(2.39%)

Received
SEP 23 2009
Cecil County Office
of Planning & Zoning

COORDINATE TABLE

NO.	NORTHING	EASTING
1	11482.6212	3530.3277
2	11137.3913	3893.1262
3	11004.9639	3854.6691

● - DENOTES PROPOSED WELL
⊙ - DENOTES FIELD LOCATED PERC TEST

PERC DATA

PERC #	DEPTH	MIN.
PERC #22	6.5' DEEP	14 MIN.
PERC #23	12' DEEP	6 MIN.
PERC #67	10' DEEP	3 MIN.
PERC #68	14' DEEP	O.H.
PERC #69	9' DEEP	2 MIN.
PERC #70	13' DEEP	O.H.
PERC #71	8' DEEP	5 MIN.
PERC #72	13' DEEP	O.H.
PERC #73	12' DEEP	O.H.
PERC #74	8' DEEP	2 MIN.
PERC #75	13' DEEP	SEASONAL TEST
PERC #76	14' DEEP	O.H.
PERC #77	10' DEEP	5 MIN.
PERC #78	8' DEEP	4 MIN.
PERC #79	12' DEEP	O.H.
PERC #80	13' DEEP	O.H.
PERC #81	7' DEEP	1 MIN.
PERC #82	11' DEEP	O.H.
PERC #83	7' DEEP	1 MIN.
PERC #84	9' DEEP	2 MIN.
PERC #85	13' DEEP	O.H.

NO DEVELOPMENT IS PERMITTED IN THE TIDAL WETLANDS AND TIDAL WATERS BUFFER, INCLUDING SEPTIC SYSTEMS, IMPERVIOUS SURFACES, PARKING AREAS, ROADS, OR STRUCTURES.

A LOT GRADING PLAN HAS BEEN APPROVED BY THE CECIL COUNTY DEPARTMENT OF PUBLIC WORKS FOR THE WORK SHOWN HEREON. A CONSTRUCTION AS-BUILT SHALL BE SUBMITTED TO THE CECIL COUNTY DEPARTMENT OF PUBLIC WORKS PRIOR TO USE AND/OR OCCUPANCY OF ANY OF THE SITES SHOWN HEREON. ANY CHANGES TO THE FOREST RETENTION, AFForestation, AND/OR REFORESTATION WILL REQUIRE A CONSISTENCY REVIEW OF THE STORM WATER MANAGEMENT APPROVAL, WITH CECIL COUNTY DEPARTMENT OF PUBLIC WORKS.

NO CLEARING OR GRADING IS PERMITTED BEYOND THE LIMITS OF DISTURBANCE SHOWN HEREON. ANY EXPANDED CLEARING AND/OR GRADING IN THE ABSENCE OF AN APPROVED REVISED LOT GRADING PLAN MAY BE CONSIDERED NONCOMPLIANCE WITH CHAPTER 251 OF THE CECIL COUNTY CODE AND EITHER OR BOTH THE DEVELOPER AND/OR BUILDER MAY BE SUBJECT TO THE ENFORCEMENT OF THE PENALTY PROVISIONS THEREIN.

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OWNER'S CERTIFICATE

CERTIFICATION IS HEREBY MADE THAT TO THE BEST OF MY KNOWLEDGE THE REQUIREMENTS OF THE SECTION 3-108, REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, CONCERNING THE PREPARATION OF THIS PLAT AND THE SETTING OF MARKERS, HAVE BEEN COMPLIED WITH.

HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN ON THIS PLAN, AND THIS SUBDIVISION PLAT (THEREOF) WAS MADE AT MY DISCRETION.

LAND OWNER _____ DATE _____

LEGEND

- DENOTES FOREST CONSERVATION
- DENOTES DEED RESTRICTED FOREST
- DENOTES SLOPES GREATER THAN 25%
- DENOTES SLOPES BETWEEN 15% & 25%

APPROVED: _____ CECIL COUNTY PLANNING & ZONING

DIRECTOR DATE

APPROVED: _____ CECIL COUNTY DEPARTMENT OF ENVIRONMENTAL HEALTH

DIRECTOR DATE

APPROVED: _____ CECIL COUNTY DEPARTMENT OF PUBLIC WORKS

DIRECTOR OR SENIOR ENGINEER DATE

SURVEYOR'S CERTIFICATE

CERTIFICATION IS HEREBY MADE THAT PREPARATION OF THIS SUBDIVISION IS IN COMPLIANCE WITH SECTION 3-108, REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND SUBSEQUENT AMENDMENTS.

REGISTERED MARYLAND LAND SURVEYOR _____ DATE _____
MICHAEL A. SCOTT
207 S. MAPLE AVENUE
CHESTERTOWN MD. 21620

CE 304-04

DWG. NAME - SHEET 1 OF 4

PRELIMINARY MAJOR SUBDIVISION

OF THE LANDS OF

SMITH CREEK II

FIRST ELECTION DISTRICT, CECIL COUNTY, MARYLAND

TAX MAP 58, GRID 3, PARCEL 2

DATE	9-8-09	SCALE	1"=300'
JOB NO.	5301	DRAWN BY	J. WALLS
FOLDER REF	CE-1272		
DATE		REVISION	

DATE	9-8-09	SCALE	1"=300'
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FOLDER REF	CE-1272		
DATE		REVISION	

MICHAEL A SCOTT INC.
207 MAPLE AVENUE CHESTERTOWN, MD 21620 (410)778-2310

DATE: 9/23/09
SEAL

TAX MAP 53, PARCEL 25, LOT 3B
LANDS OF
GARY G. SCHLARBAUM et ux.
W.L.B. 1104/563 PLAT REF: 105/1958
ZONE-SAR
USE-AGRICULTURAL

TAX MAP 53, PARCEL 25, LOT 2B
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TAX MAP 58, PARCEL 19
LANDS OF
UNITED BANK OF DENVER
N.D.S. 327/666
ZONE-SAR
USE-AGRICULTURAL

- - DENOTES PROPOSED WELL
- - DENOTES FIELD LOCATED PERC TEST

PERC DATA

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- DENOTES FOREST CONSERVATION
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MICHAEL A. SCOTT
207 S. MAPLE AVENUE
CHESTERTOWN MD. 21620

DATE _____

PRELIMINARY MAJOR SUBDIVISION

OF THE LANDS OF

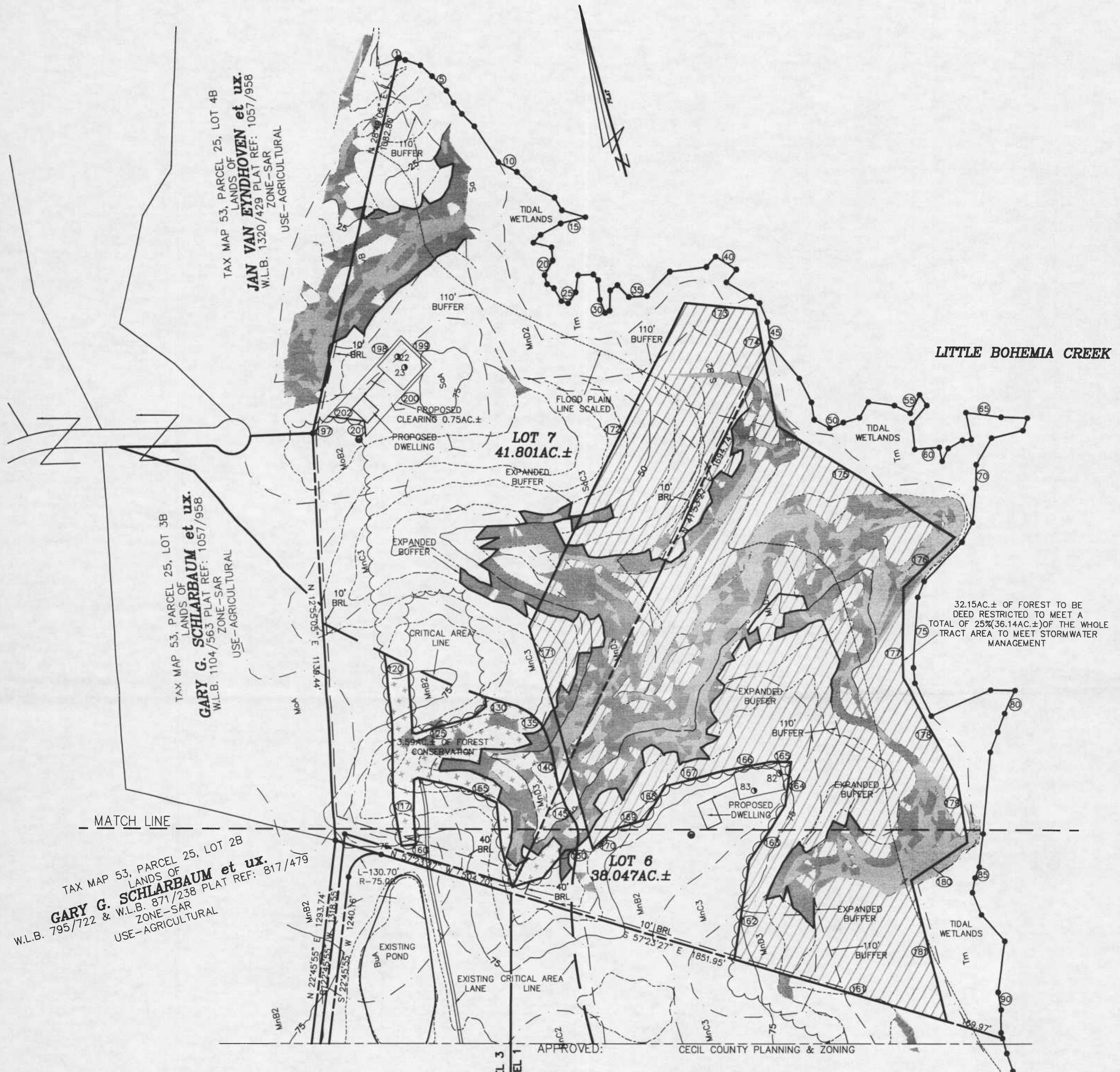
SMITH CREEK II

FIRST ELECTION DISTRICT, CECIL COUNTY, MARYLAND
TAX MAP 58, GRID 3, PARCEL 2

SCALE	1"=200'
DATE	9-8-09
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FOLDER REF	CE-1272
DRAWN BY	J. WALLS
REVISION	



MICHAEL A. SCOTT INC.
207 MAPLE AVENUE CHESTERTOWN, MD 21620 (410)778-2310



LITTLE BOHEMIA CREEK

32.15AC.± OF FOREST TO BE DEED RESTRICTED TO MEET A TOTAL OF 25%(36.14AC.±) OF THE WHOLE TRACT AREA TO MEET STORMWATER MANAGEMENT

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 USE-AGRICULTURAL

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 W.L.B. 1104/563 PLAT REF: 1057/958
 ZONE-SAR
 USE-AGRICULTURAL

TAX MAP 53, PARCEL 25, LOT 4B
JAN VAN EYNDHOVEN et ux.
 W.L.B. 1320/429 PLAT REF: 1057/958
 ZONE-SAR
 USE-AGRICULTURAL

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 CECIL COUNTY PLANNING & ZONING

APPROVED: _____
 DIRECTOR DATE
 CECIL COUNTY DEPARTMENT OF ENVIRONMENTAL HEALTH

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 MICHAEL A. SCOTT
 207 S. MAPLE AVENUE
 CHESTERTOWN MD. 21620

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DWG. NAME - SHEET 3 OF 4

PRELIMINARY MAJOR SUBDIVISION

OF THE LANDS OF

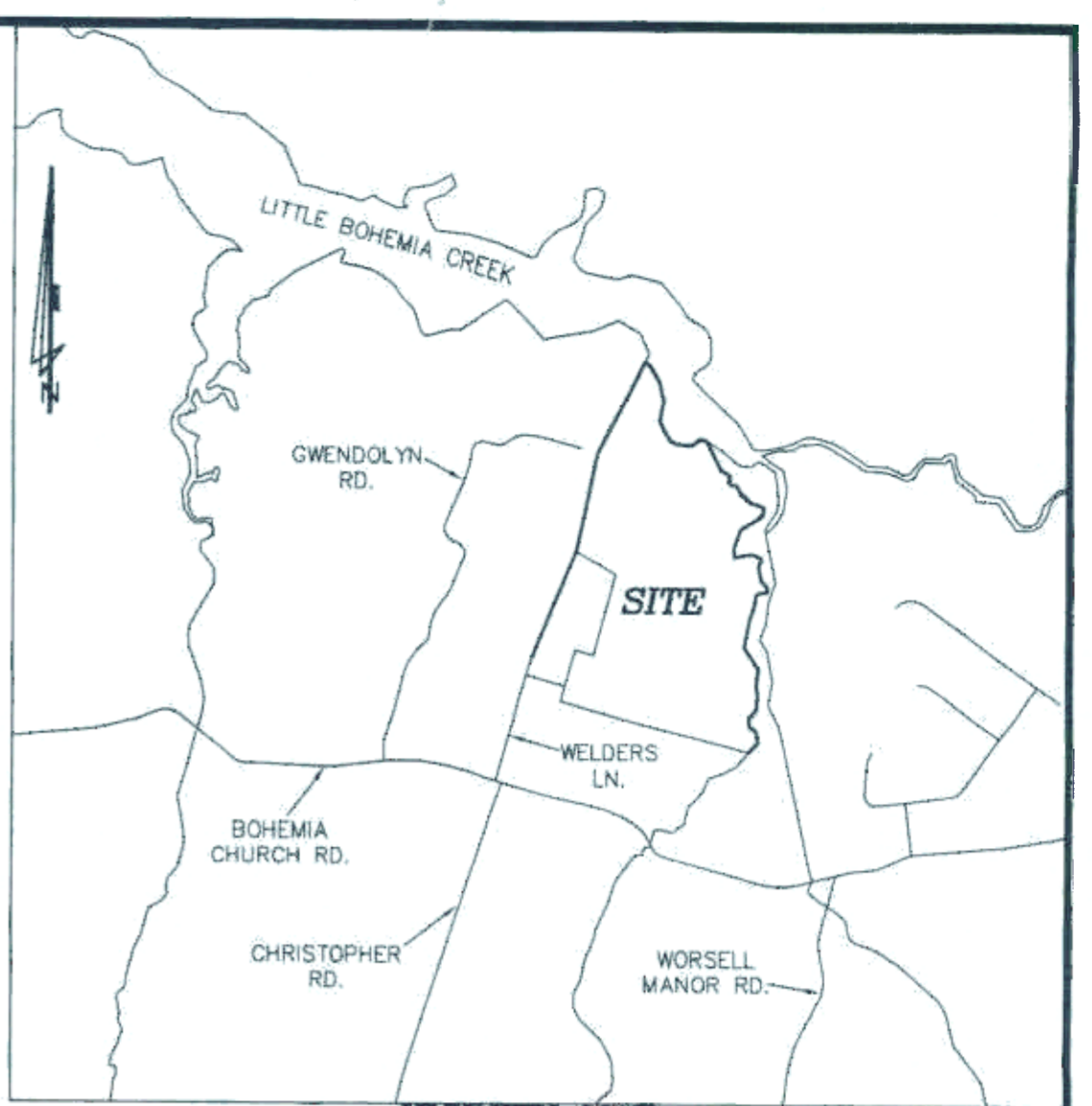
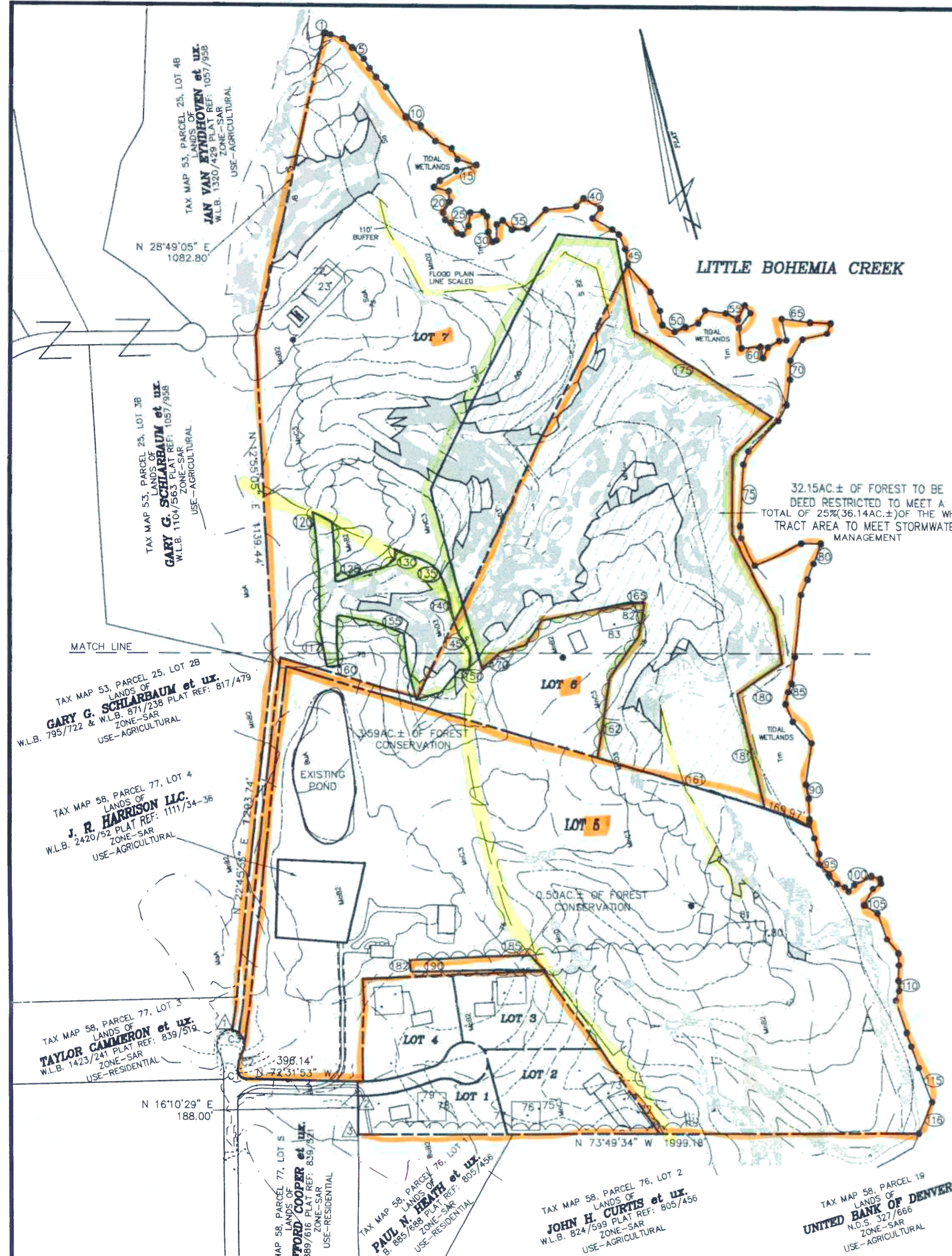
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MICHAEL A. SCOTT INC.
 207 MAPLE AVENUE CHESTERTOWN, MD 21620 (410)778-2310



**VICINITY MAP
TAX MAP 58, PARCEL 2
INDEX**

- SHEET 1 OF 5 INDEX SHEET SHOWING ENTIRE SUBDIVISION
- SHEET 2 OF 5 PRELIMINARY MAJOR SUBDIVISION
- SHEET 3 OF 5 PRELIMINARY MAJOR SUBDIVISION
- SHEET 4 OF 5 PRELIMINARY MAJOR SUBDIVISION
- SHEET 5 OF 5 PRELIMINARY MAJOR SUBDIVISION COURSES & DISTANCES TABLES

- NOTES:
1. TAX MAP 58, PARCEL 2
 2. LAND OWNER: J. R. HARRISON LLC
895 NOTTINGHAM ROAD
ELKTON, MARYLAND, 21921
 3. FOR DEED REFERENCE SEE: W.L.B. 2420/52
FOR PLAT REFERENCE SEE: 777/397 & 1111/34-36
 4. SITE IS CURRENTLY ZONED - S.A.R. & R.C.A.
TOTAL AREA OF PROPERTY - 144.941 AC.±
AREA OF PROPERTY IN THE CRITICAL AREA RCA DESIGNATION - 104.312 AC.±
PROPOSED DENSITY IN THE RCA ZONE IS 1 DWELLING UNIT PER 34.770 AC.±
AREA OF PROPERTY IN THE SAR ZONE - 40.629 AC.±
PROPOSED DENSITY IN THE SAR ZONE IS 1 DWELLING UNIT PER 10.157 AC.±
AREA OF LOT 1 - 1.997 AC.±
AREA OF LOT 2 - 3.241 AC.±
AREA OF LOT 3 - 2.475 AC.±
AREA OF LOT 4 - 2.592 AC.±
AREA OF LOT 5 - 53.984 AC.±
AREA OF LOT 6 - 38.006 AC.±
AREA OF LOT 7 - 41.801 AC.±
NUMBER OF PROPOSED LOTS - 7
 5. THE LOTS 1 THROUGH 7 SHOWN HEREON IS SUBJECT TO A 5' WIDE DRAINAGE AND UTILITY EASEMENT ALONG ALL SIDE AND REAR PROPERTY LINES.
 6. THE AREA OF THIS PROJECT WITHIN THE CHESAPEAKE BAY CRITICAL AREA IS EXEMPT UNDER THE PROVISIONS OF SECTION 3.2B OF THE CECIL COUNTY FOREST CONSERVATION REGULATIONS.
 7. THIS PROJECT LIES PARTIALLY WITHIN RCA DESIGNATION CHESAPEAKE BAY CRITICAL AREA.
 8. SECTION 193.3 OF THE CECIL COUNTY ZONING ORDINANCE THE DENSITY OF THE RCA ZONE IS ONE DWELLING UNIT PER TWENTY ACRES. THEREFORE BASED ON THIS PLAN FOR THREE LOTS AND THREE DWELLING UNITS, NO ADDITIONAL SUBDIVISION OR DWELLING UNITS MAY OCCUR.
 9. TOPOGRAPHY SHOWN HEREON PROVIDED BY POTOMAC AERIAL IN 1998. ELEVATIONS SHOWN HEREON ARE ON NGVD 88 DATUM.
 10. SOILS SHOWN HEREON ARE TAKEN FROM U.S.D.A. SOIL SURVEY OF CECIL COUNTY.
 11. THE FLOOD PLAIN LINE SHOWN HEREON WAS SCALED FROM FIRM MAP 240019 0065A DATED APRIL 4, 1983. PORTIONS OF PARCEL 2 ARE IN FLOOD ZONE A. THE ELEVATION OF THE FLOOD ZONE A IS NOT DETERMINED PER THE FIRM MAP.

State or Private tidal wetlands

NO DEVELOPMENT IS PERMITTED IN THE TIDAL WETLANDS AND TIDAL WATERS BUFFER, INCLUDING SEPTIC SYSTEMS, IMPERVIOUS SURFACES, PARKING AREAS, ROADS, OR STRUCTURES.

A LOT GRADING PLAN HAS BEEN APPROVED BY THE CECIL COUNTY DEPARTMENT OF PUBLIC WORKS FOR THE WORK SHOWN HEREON. A CONSTRUCTION AS-BUILT SHALL BE SUBMITTED TO THE CECIL COUNTY DEPARTMENT OF PUBLIC WORKS PRIOR TO USE AND/OR OCCUPANCY OF ANY OF THE SITES SHOWN HEREON. ANY CHANGES TO THE FOREST RETENTION, AFFORESTATION, AND/OR REFORESTATION WILL REQUIRE A CONSISTENCY REVIEW OF THE STORM WATER MANAGEMENT APPROVAL, WITH CECIL COUNTY DEPARTMENT OF PUBLIC WORKS.

NO CLEARING OR GRADING IS PERMITTED BEYOND THE LIMITS OF DISTURBANCE SHOWN HEREON. ANY EXPANDED CLEARING AND/OR GRADING IN THE ABSENCE OF AN APPROVED REVISED LOT GRADING PLAN MAY BE CONSIDERED NONCOMPLIANCE WITH CHAPTER 251 OF THE CECIL COUNTY CODE AND EITHER OR BOTH THE DEVELOPER AND/OR BUILDER MAY BE SUBJECT TO THE ENFORCEMENT OF THE PENALTY PROVISIONS THEREIN.

THE FOREST CONSERVATION RETENTION AREA WITHIN THE CRITICAL AREA AS SHOWN HEREON, AND AS DESCRIBED BY ITS METES AND BOUNDS, IS INTENDED TO SATISFY A STORM WATER MANAGEMENT REQUIREMENT, THEREBY IT IS TO REMAIN AS A PERMANENT EASEMENT, EXCEPT FOR MAINTAINING THE NATURAL VEGETATIVE COVER.

AN AGRICULTURAL OPERATION IS BEING CONDUCTED ON A CONTIGUOUS PROPERTY AND SAID AGRICULTURAL OPERATION IS PROTECTED FROM NUISANCE CLAIMS PROVIDED THE CONDITIONS OF ARTICLE 1, SUBSECTION 4 ARE BEING COMPLIED WITH.

OWNER'S CERTIFICATE

CERTIFICATION IS HEREBY MADE THAT TO THE BEST OF MY KNOWLEDGE THE REQUIREMENTS OF THE SECTION 3-108, REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, CONCERNING THE PREPARATION OF THIS PLAT AND THE SETTING OF MARKERS, HAVE BEEN COMPLIED WITH.

HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN ON THIS PLAN, AND THIS SUBDIVISION PLAT (THEREOF) WAS MADE AT MY DISCRETION.

LAND OWNER _____ DATE _____

SURVEYOR'S CERTIFICATE

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Michael A. Scott 11/19/08
REGISTERED MARYLAND LAND SURVEYOR
MICHAEL A. SCOTT
207 S. MAPLE AVENUE
CHESTERTOWN MD. 21620

COORDINATE TABLE

NO.	NORTHING	EASTING
1	11482.6212	3530.3277
2	11137.3913	3893.1262
3	11004.9639	3854.6691

⊙ - DENOTES PROPOSED WELL
⊙ - DENOTES FIELD LOCATED PERC TEST

PERC DATA

PERC #	DEPTH	MIN.
PERC #22	6.5' DEEP	14 MIN.
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Received
NOV 19 2008
Cecil County Office
of Planning & Zoning

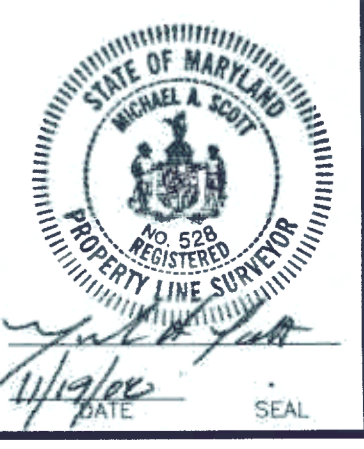
DWG. NAME - SHEET 1 OF 5

PRELIMINARY MAJOR SUBDIVISION
OF THE LANDS OF
SMITH CREEK II
FIRST ELECTION DISTRICT, CECIL COUNTY, MARYLAND
TAX MAP 58, PARCEL 2

RECEIVED
NOV 26 2008
CRITICAL AREA COMMISSION
Chesapeake & Atlantic Coastal Bay

DATE	1-13-08	SCALE	1"=300'
JOB NO.	5301	DRAWN BY	J. WALLS
FOLDER REF	CE-1272		
DATE		REVISION	

MICHAEL A SCOTT INC.
207 MAPLE AVENUE CHESTERTOWN, MD 21620 (410)778-2310





VICINITY MAP
TAX MAP 58, PARCEL 2

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MICHAEL A. SCOTT
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11/19/08 DATE



Michael A. Scott
11/19/08 DATE
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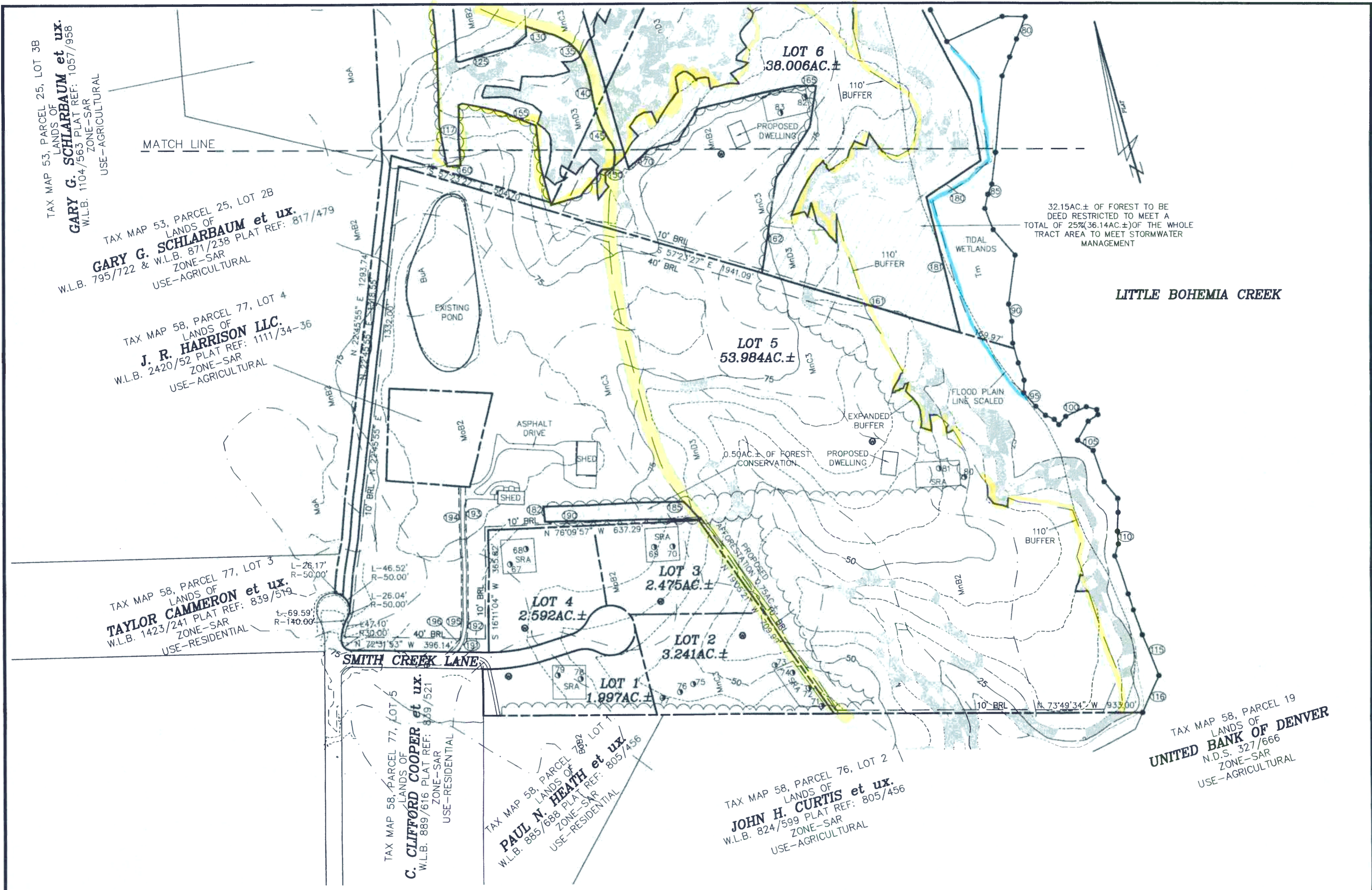
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- DENOTES SLOPES BETWEEN 15% & 25%

SURVEYOR'S CERTIFICATE

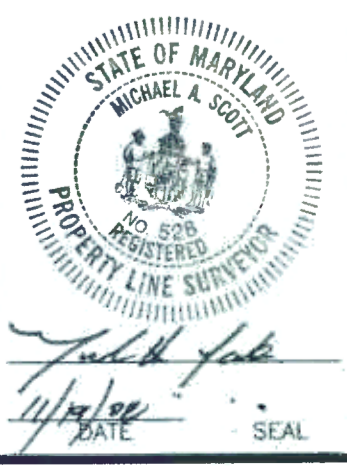
CERTIFICATION IS HEREBY MADE THAT PREPARATION OF THIS SUBDIVISION IS IN COMPLIANCE WITH SECTION 3-108, REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND SUBSEQUENT AMENDMENTS.

Michael A. Scott
 REGISTERED MARYLAND LAND SURVEYOR 11/19/08 DATE
 MICHAEL A. SCOTT
 207 S. MAPLE AVENUE
 CHESTERTOWN MD. 21620

PRELIMINARY MAJOR SUBDIVISION
 OF THE LANDS OF
SMITH CREEK II
 FIRST ELECTION DISTRICT, CECIL COUNTY, MARYLAND
 TAX MAP 58, PARCEL 2

DATE	11-13-08	SCALE	1"=200'
JOB NO.	5301	DRAWN BY	J. WALLS
FOLDER REF	CE-1272	DATE	NOV 26 2008
DATE		REVISION	

MICHAEL SCOTT INC.
 207 MAPLE AVENUE CHESTERTOWN, MD 21620 (410)778-2310



DWG. NAME - SHEET 4 OF 5

CONSTRUCTION TIME TABLE

Construction on the site is anticipated to begin in the spring of 2009. The sequence of construction shall be as follows:

- Stake forest retention area edges in the field with respect to the critical root zones (C.R.Z.) and apply stress reduction measures as necessary. Install temporary and permanent protective devices around the forest retention areas.
- Hold pre-construction meeting at the project site.
- Install soil erosion control structures.
- Site inspection by the Cecil County OPZ.
- Begin site work and building construction.
- Perform post-construction corrective measures (stress reduction, dead and dying tree removal, etc.).
- Remove temporary forest protection structures after inspection by the Cecil County OPZ.
- Site inspection by project inspector.
- Commencement of forest conservation area protective agreements.

NO DEVELOPMENT IS PERMITTED IN THE TIDAL WETLANDS AND TIDAL WATERS BUFFER, INCLUDING SEPTIC SYSTEMS, IMPERVIOUS SURFACES, PARKING AREAS, ROADS, OR STRUCTURES.

A LDT GRADING PLAN HAS BEEN APPROVED BY THE CECL COUNTY DEPARTMENT OF PUBLIC WORKS FOR THE WORK SHOWN HEREON. A CONSTRUCTION AS-BUILT SHALL BE SUBMITTED TO THE CECL COUNTY DEPARTMENT OF PUBLIC WORKS PRIOR TO USE AND/OR OCCUPANCY OF ANY OF THE SITES SHOWN HEREON. ANY CHANGES TO THE FOREST RETENTION, AFFORESTATION, AND/OR REFORESTATION WILL REQUIRE A CONSISTENCY REVIEW OF THE STORM WATER MANAGEMENT APPROVAL WITH CECL COUNTY DEPARTMENT OF PUBLIC WORKS.

NO CLEARING OR GRADING IS PERMITTED BEYOND THE LIMITS OF DISTURBANCE SHOWN HEREON. ANY EXPANDED CLEARING AND/OR GRADING IN THE ABSENCE OF AN APPROVED REVISED LOT GRADING PLAN MAY BE CONSIDERED NONCOMPLIANCE WITH CHAPTER 251 OF THE CECL COUNTY CODE AND EITHER DR BOTH THE DEVELOPER AND/OR BUILDER MAY BE SUBJECT TO THE ENFORCEMENT OF THE PENALTY PROVISIONS THEREIN.

THE FOREST CONSERVATION RETENTION AREA WITHIN THE CRITICAL AREA AS SHOWN HEREON, AND AS DESCRIBED BY ITS METES AND BOUNDS, IS INTENDED TO SATISFY A STORM WATER MANAGEMENT REQUIREMENT, THEREFORE IT IS TO REMAIN AS A PERMANENT EASEMENT, EXCEPT FOR MAINTAINING THE NATURAL VEGETATIVE COVER.

AN AGRICULTURAL OPERATION IS BEING CONDUCTED ON A CONTIGUOUS PROPERTY AND SAID AGRICULTURAL OPERATION IS PROTECTED FROM NUISANCE CLAIMS PROVIDED THE CONDITIONS OF ARTICLE 1, SUBSECTION 4 ARE BEING COMPLIED WITH.

TAX MAP 53, PARCEL 25, LOT 4B
LANDS OF
JAN VAN EYNHOVEN et ux.
W.L.B. 1320/429 PLAT REF: 1057/958
ZONE-SAR
USE-AGRICULTURAL

TAX MAP 53, PARCEL 25, LOT 3B
LANDS OF
GARY G. SCHLARBAUM et ux.
W.L.B. 1104/563 PLAT REF: 1057/958
ZONE-SAR
USE-AGRICULTURAL

FOREST RETENTION FOR FUTURE DEVELOPMENT
AREA = 0.96 ACRE
FOREST RETENTION FOR SMITH CREEK II (LOTS 1-4)
AREA = 2.23 ACRE
(CROSS-HATCHED AREA)

TAX MAP 53, PARCEL 25, LOT 2B
LANDS OF
GARY G. SCHLARBAUM et ux.
W.L.B. 795/722 & W.L.B. 871/238 PLAT REF: 817/479
ZONE-SAR
USE-AGRICULTURAL

TAX MAP 58, PARCEL 77, LOT 4
LANDS OF
J. R. HARRISON LLC.
W.L.B. 2420/52 PLAT REF: 893/630-633
ZONE-SAR
USE-AGRICULTURAL

- NOTES:**
1. TAX MAP 58, PARCEL 2
 2. LAND OWNER: J. R. HARRISON LLC
895 NOTTINGHAM ROAD
ELKTON, MARYLAND, 21921
 3. FOR DEED REFERENCE SEE: W.L.B. 2420/52 FOR PLAT REFERENCE SEE: 777/397
 4. SITE IS CURRENTLY ZONED - S.A.R. & R.C.A.
TOTAL AREA OF PROPERTY - 144.941 AC.±
AREA OF PROPERTY IN THE CRITICAL AREA RCA DESIGNATION - 104.312 AC.±
PROPOSED DENSITY IN THE RCA ZONE IS 1 DWELLING UNIT PER 34,770 AC.±
AREA OF PROPERTY IN THE SAR ZONE - 40,629 AC.±
PROPOSED DENSITY IN THE SAR ZONE IS 1 DWELLING UNIT PER 10,157 AC.±
AREA OF LOT 1 - 1,997 AC.±
AREA OF LOT 2 - 3,241 AC.±
AREA OF LOT 3 - 2,475 AC.±
AREA OF LOT 4 - 2,592 AC.±
AREA OF LOT 5 - 53,984 AC.±
AREA OF LOT 6 - 38,006 AC.±
AREA OF LOT 7 - 41,801 AC.±
NUMBER OF PROPOSED LOTS - 7
 5. THE LOTS 1 THROUGH 7 SHOWN HEREON IS SUBJECT TO A 5' WIDE DRAINAGE AND UTILITY EASEMENT ALONG ALL SIDE AND REAR PROPERTY LINES.
 6. THE AREA OF THIS PROJECT WITHIN THE CHESAPEAKE BAY CRITICAL AREA IS EXEMPT UNDER THE PROVISIONS OF SECTION 3.2B OF THE CECL COUNTY FOREST CONSERVATION REGULATIONS.
 7. THIS PROJECT LIES PARTIALLY WITHIN RCA DESIGNATION CHESAPEAKE BAY CRITICAL AREA.
 8. SECTION 193.3 OF THE CECL COUNTY ZONING ORDINANCE THE DENSITY OF THE RCA ZONE IS ONE DWELLING UNIT PER TWENTY ACRES. THEREFORE, BASED ON THIS PLAN FOR THREE LOTS AND THREE DWELLING UNITS, NO ADDITIONAL SUBDIVISION OR DWELLING UNITS MAY OCCUR.

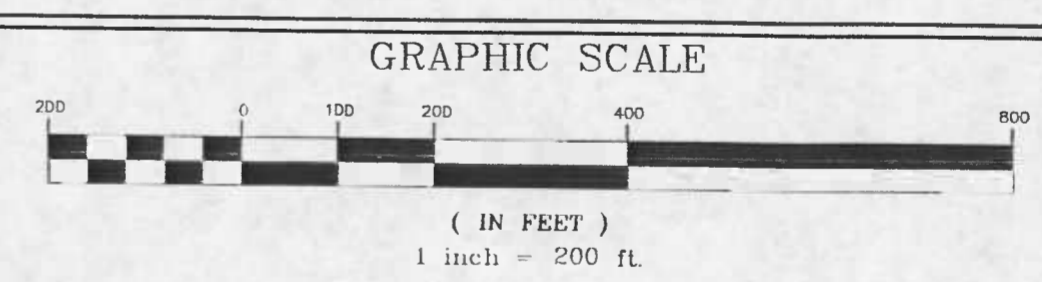
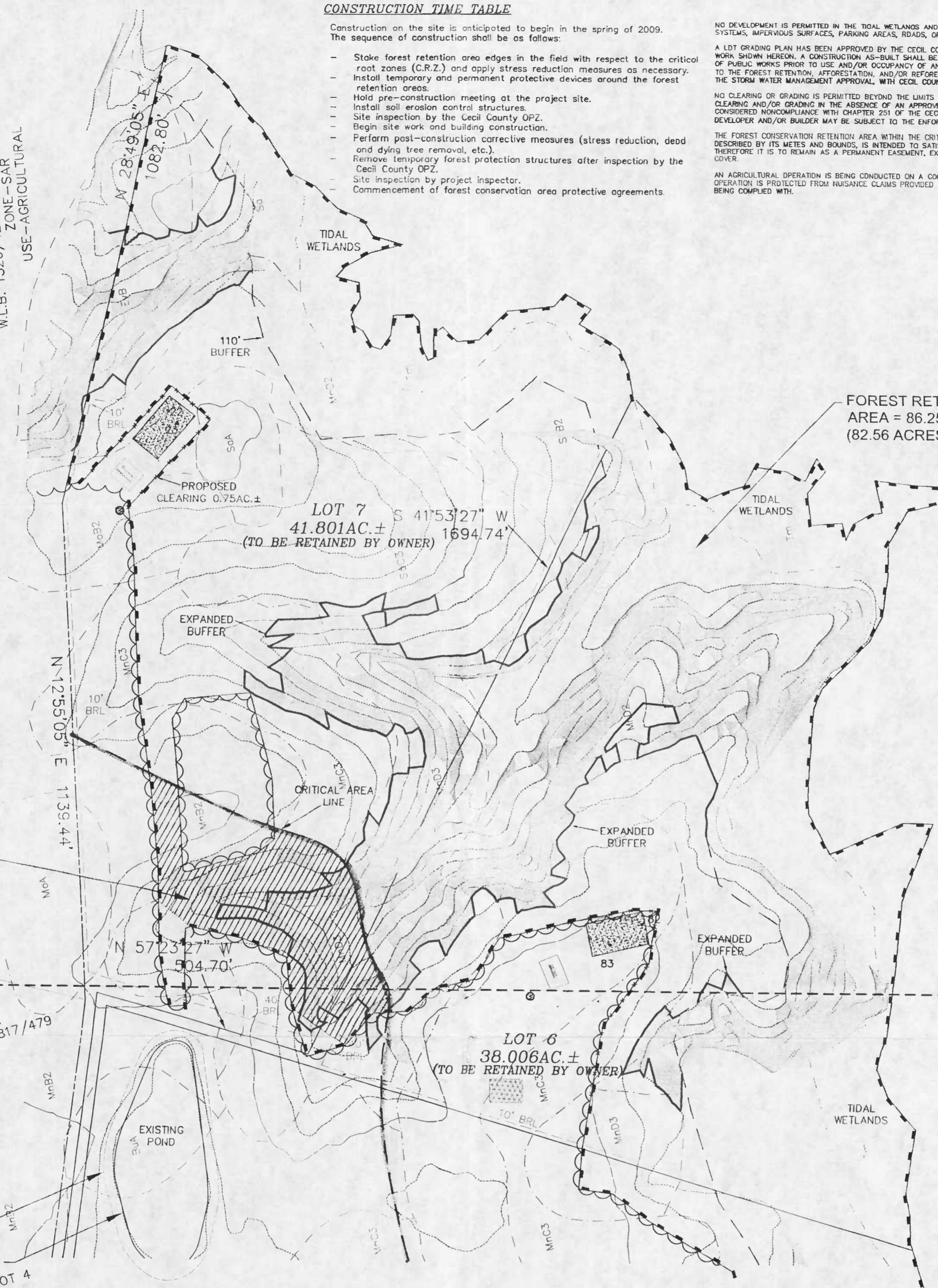
- SOIL DESCRIPTIONS**
- BuA - Butlertown silt loam, 0-2%, K-factor +
 - BuB2 - Butlertown silt loam, 2-5%, moderately eroded, K-factor +
 - C1C3 - Collington loam, 5-10%, severely eroded, K-factor -
 - EvB - Evesboro loamy sand, 0-5%, K-factor -
 - MnB2 - Matopeake silt loam, 2-5%, moderately eroded, K-factor +
 - MnC3 - Matopeake silt loam, 5-10%, severely eroded, K-factor +
 - MnD3 - Matopeake silt loam, 10-15%, severely eroded, K-factor +
 - MaA - Matopeake silt loam, silty substratum, 0-2%, K-factor +
 - MaB2 - Matopeake silt loam, silty substratum, 2-5%, moderately eroded, K-factor +
 - SaA - Sassafras sandy loam, 0-2%, K-factor +
 - SaC3 - Sassafras sandy loam, 5-10%, severely eroded, K-factor +
 - Tm - Tidal marsh, K-factor -

"I, **Bradly J. Gachnauer**, do hereby state to the best of my knowledge, information and belief that the information contained in the plans, specifications, and reports have been prepared in accordance with accepted environmental practices, is true and correct and is in conformance with the Cecil County Forest Conservation Technical Manual."

"The afforestation/reforestation/retention areas shown on this plot shall be protected by long term protective agreements, such as deed restrictions, conservation easements, and land trusts. These legally binding devices will ensure those areas retained, afforested, and/or reforested are limited to uses which are consistent with forest conservation. The afforestation/reforestation and/or forest retention areas shown on this plot shall remain undisturbed except to be used for purposes consistent with forest conservation and the approved Forest Conservation Plan filed in the Cecil County OPZ."

Bradly J. Gachnauer
Bradly J. Gachnauer, MD Qualified Professional
11/17/08 date

FOREST RETENTION AREA 1 (PA-1)
AREA = 86.25 ACRES
(82.56 ACRES IN CRITICAL AREA)



Title: PRELIMINARY FOREST CONSERVATION & CRITICAL AREA ENVIRONMENTAL ASSESSMENT PLAN

Project: SMITH CREEK II SUBDIVISION (LOTS 1-7)
First Election District
Cecil County
Maryland

Client: MR. JOHN R. HARRISON
896 Nottingham Road
Elkton, MD 21921

VORTEX ENVIRONMENTAL, INC.
521 Beaver Valley Pike
Lancaster, PA 17602
(717) 509-3934 FAX (717) 509-2789

Drawn By: SMJ
Reviewed By: BJJ
Project Number: 007-231-08
Date: November 17, 2008

SHEET 1 OF 2

PRELIMINARY MAJOR SUBDIVISION
OF THE LANDS OF
SMITH CREEK II
FIRST ELECTION DISTRICT, CECL COUNTY, MARYLAND

DATE	SCALE
11-13-08	1"=200'
JOB NO.	DRAWN BY
5301	J. WALLS
FOLDER REF	
CE-1272	
DATE	REVISION

MICHAEL SCOTT INC.
207 MAPLE AVENUE CHESTERTOWN, MD 21620 (410)778-2310

DATE SEAL

TAX MAP 53, PARCEL 25, LOT 3B
LANDS OF
GARY G. SCHLARBAUM et ux.
W.L.B. 1104/563 PLAT REF: 1057/958
ZONE-SAR
USE-AGRICULTURAL

TAX MAP 53, PARCEL 25, LOT 2B
LANDS OF
GARY G. SCHLARBAUM et ux.
W.L.B. 795/722 & W.L.B. 871/238 PLAT REF: 817/479
ZONE-SAR
USE-AGRICULTURAL

TAX MAP 58, PARCEL 77, LOT 4
LANDS OF
J. R. HARRISON LLC.
W.L.B. 2420/52 PLAT REF: 893/630-633
ZONE-SAR
USE-AGRICULTURAL

TAX MAP 58, PARCEL 77, LOT 3
LANDS OF
TAYLOR CAMMERON et ux.
W.L.B. 1423/241 PLAT REF: 839/519
ZONE-SAR
USE-RESIDENTIAL

TAX MAP 58, PARCEL 77, LOT 5
LANDS OF
C. CLIFFORD COOPER et ux.
W.L.B. 889/616 PLAT REF: 839/521
ZONE-SAR
USE-RESIDENTIAL

TAX MAP 58, PARCEL 76, LOT 1
LANDS OF
PAUL N. HEATH et ux.
W.L.B. 885/688 PLAT REF: 805/456
ZONE-SAR
USE-RESIDENTIAL

TAX MAP 58, PARCEL 76, LOT 2
LANDS OF
JOHN H. CURTIS et ux.
W.L.B. 824/599 PLAT REF: 805/456
ZONE-SAR
USE-AGRICULTURAL

TAX MAP 58, PARCEL 19
LANDS OF
UNITED BANK OF DENVER
N.D.S. 327/666
ZONE-SAR
USE-AGRICULTURAL

FOREST RETENTION FOR
FUTURE DEVELOPMENT
AREA = 0.96 ACRE
FOREST RETENTION FOR
SMITH CREEK II (LOTS 1-4)
AREA = 2.23 ACRE
(CROSS-HATCHED AREA)

FOREST RETENTION FOR
FUTURE DEVELOPMENT
AREA = 0.50 ACRE

FOREST RETENTION AREA 1 (PA-1)
AREA = 86.25 ACRES
(82.56 ACRES IN CRITICAL AREA)

REFORESTATION AREA 1
AREA = 0.75 ACRE

MATCH LINE

25' OPEN WATER
POND BUFFER
OPEN WATER POND

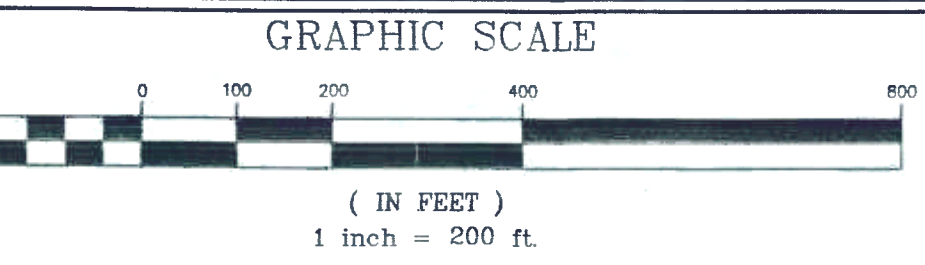
CRITICAL AREA
LINE

EXPANDED
BUFFER

TIDAL
WETLANDS

110'
BUFFER

EXPANDED
BUFFER



- NOTES**
- The base topographic, property line, and outbound information was derived from the Preliminary Major Subdivision Plan for lands of Smith Creek II, prepared by Michael Scott, Inc., Chestertown, MD, dated November 13, 2008.
 - The total tract area for the Smith Creek II Subdivision is 144.94± acres.
 - The site is currently zoned SAR (40.63± acres) & RCA (104.31± acres).
 - The soil locations and types are taken from the Cecil County Soil Survey.
 - The forest stand was delineated by others.
 - Notification from the Maryland Natural Heritage program regarding the critical habitats on Smith Creek II Subdivision is included in the narrative.
 - Slopes greater than 25% and slopes greater than 15% with a K value greater than 0.35 as measured on approved topographic maps, using a minimum area of 10,000 square feet were observed.
 - The owner/developer of the property is Mr. John R. Harrison, 896 Nottingham Road, Elkton, MD 21921.
 - The site information is tax map 58, parcel 2, deed reference WLB 2420/52, plot reference 777/397.
 - Over 100 acres of contiguous forest is located to the east of the project site.
 - Approximately 104.31 acres of RCA Critical Area are located on the project site.
 - Temporary debris stockpile areas shall be kept outside of the proposed forest retention / reforestation areas. Stockpile areas have been located hereon for use during initial construction activities and are not to be used for permanent disposal.
 - A 100-year floodplain is present on the project site.
 - Lots 5, 6, & 7 will be retained by the owner and are exempt from the Forest Conservation Regulations by Section 3.2K.
 - The FSD (#227) was approved on 12/18/99 and an extension was granted on 12/20/06.
 - According to the Maryland Natural Heritage Service the forested areas on-site are considered potential forest interior dwelling bird habitat.
 - A total of approximately 3 acres of impervious surfaces are proposed within the Critical Area portion of Lots 5, 6 and 7. This represents 3% of the Critical Area acreage.

FOREST RETENTION AREA SUMMARY
Forest Retention Area 1 (PA-1) Priority Rating - 86.25 Acres
(includes 82.56 acres of Critical Area Forest)(2.23 acre non-critical
oreo forest retention for Smith Creek Subdivision II Lots 1-4 and 1.46
acre non-critical oreo forest retention for Future Development)

REFORESTATION AREA SUMMARY
Reforestation Area 1 - 0.75 Acre (In Critical Area)

PLANT STOCK TABLE
(Includes Reforestation Requirements only)

Qty	Botanical Name	Common Name	Size/Remarks
53	Acer rubrum	Red Maple	tree seeding with tube shelter
53	Fraxinus Americana	White Ash	tree seeding with tube shelter
53	Liriodendron tulipifera	Tulip Poplar	tree seeding with tube shelter
52	Quercus alba	White Oak	tree seeding with tube shelter
52	Quercus rubra	Red Oak	tree seeding with tube shelter

Note: Species subject to availability. Substitutes must be approved by the Cecil County Office of Planning and Zoning

LEGEND

Protective Barrier Fencing	—*—*—*—
Signage	—
Forest Retention Area	▨
Afforestation Area	▩
Stockpile Area	▧

Title: PRELIMINARY FOREST CONSERVATION & CRITICAL AREA ENVIRONMENTAL ASSESSMENT PLAN

Project: SMITH CREEK II SUBDIVISION (LOTS 1-7)
First Election District
Cecil County
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Client: MR. JOHN R. HARRISON
896 Nottingham Road
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VORTEX ENVIRONMENTAL, INC.
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Drawn By: SMJ
Reviewed By: BJJ
Project Number: 007-231-08
Date: November 17, 2008

NOV 21 2008

MICHAEL A SCOTT INC.
207 MAPLE AVENUE CHESTERTOWN, MD 21620 (410) 778-2310

DATE	SCALE	DRAWN BY	REVISION
11-13-08	1"=200'	J. WALLS	
JOB NO.	FOLDER REF	DATE	
5301	CE-1272		

PRELIMINARY MAJOR SUBDIVISION
OF THE LANDS OF
SMITH CREEK II
FIRST ELECTION DISTRICT, CECIL COUNTY, MARYLAND

PERCOLATION TEST RESULTS

Table with 3 columns: PERC TEST NO., DEPTH, RESULTS. Lists test results for various depths from 22 to 85 feet.

Table for LOT 4A with columns: BEARING, DISTANCE. Lists bearings and distances for lines L-304 to L-307.

Table for LOT 10 with columns: BEARING, DISTANCE. Lists bearings and distances for lines L-308 to L-211.

Table for LOT 7 with columns: BEARING, DISTANCE. Lists bearings and distances for lines L-229 to L-512.

WELLS MUST BE DRILLED AND COMPLETION REPORT SUBMITTED PRIOR TO BUILDING PERMIT APPROVAL.

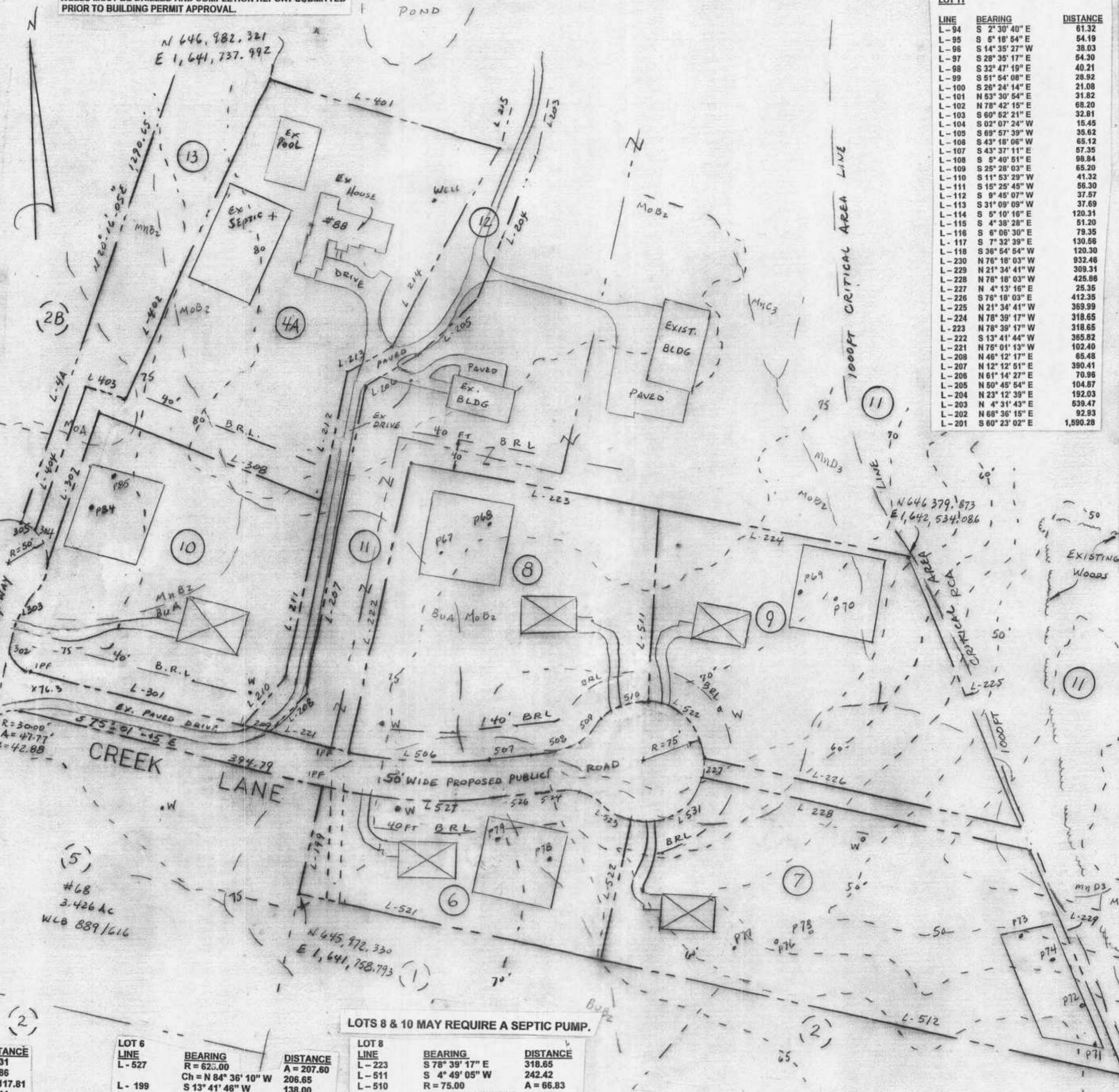


Table for LOT 11 with columns: LINE, BEARING, DISTANCE. Lists bearings and distances for lines L-94 to L-201.

Table for LOT 12 with columns: LINE, BEARING, DISTANCE. Lists bearings and distances for lines L-215 to L-214.

Table for LOT 13 with columns: LINE, BEARING, DISTANCE. Lists bearings and distances for lines L-403 to L-402.

LEGEND section defining symbols for CIPF (capped iron pin found), IPF (iron pin found), CIPS, proposed houses, perc holes, existing contours, existing soils lines, and lot lines.

PROPOSED LOT AREAS table listing acreage for lots 4A, 6, 7, 8, 9, 10, 11, 12, and 13, including critical area calculations.

LOTS 8 & 10 MAY REQUIRE A SEPTIC PUMP.

Table for LOT 6 with columns: LINE, BEARING, DISTANCE. Lists bearings and distances for lines L-527 to L-526.

Table for LOT 8 with columns: LINE, BEARING, DISTANCE. Lists bearings and distances for lines L-223 to L-222.

Table for LOT 9 with columns: LINE, BEARING, DISTANCE. Lists bearings and distances for lines L-511 to L-522.

APPROVED BY: CECIL CO. DEPT. OF PLANNING & ZONING.

DIRECTOR DATE

APPROVED BY: CECIL CO. DEPT. OF PUBLIC WORKS

DIRECTOR DATE

APPROVED BY: CECIL COUNTY DEPT. OF ENVIRONMENTAL HEALTH DEPARTMENT

DIRECTOR DATE

OWNER'S CERTIFICATION

CERTIFICATION IS HEREBY MADE THAT TO THE BEST OF MY KNOWLEDGE THE REQUIREMENTS OF SECTION 3-108, REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, CONCERNING THE PREPARATION OF THIS PLAT AND THE SETTING OF MARKERS, HAVE BEEN COMPLIED WITH.

DATE OWNER

SURVEYOR'S CERTIFICATION

CERTIFICATION IS HEREBY MADE THAT PREPARATION OF THIS SUBDIVISION IS IN COMPLIANCE WITH SECTION 3-108, REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND SUBSEQUENT AMENDMENTS.

DATE REGISTERED SURVEYOR

OWNER AND DEVELOPER JOHN R. HARRISON 895 NOTTINGHAM ROAD ELKTON, MARYLAND 21921

Received and on same day recorded in Liber No. folio one of the Record books of Cecil County and Examined per Clerk Circuit Court for Cecil County

PRELIMINARY-FINAL PLAT

SECTION II SMITH CREEK LOTS 4A, 6 - 13

FIRST ELECTION DISTRICT CECIL COUNTY, MARYLAND

WELSH ENGINEERING 2 PARADISE DRIVE HAVRE DE GRACE, MD 21078 410-939-1304 SHEET 2 OF 5

SCALE: 1" = 100' DATE: 4-18-2008

JOINT PERMIT APPLICATION WILL NEED TO BE FILED WITH THE ARMY CORPS OF ENGINEERS AND/OR DEPARTMENT OF NATURAL RESOURCES FOR ANY REGULATED ACTIVITY WITHIN ANY NONTIDAL WETLAND OR NONTIDAL WETLAND BUFFER PRESENT OR SHOWN HEREON. NO DISTURBING ACTIVITIES ARE PROPOSED FOR THE WETLANDS AND BUFFER AREAS.

THE AGRICULTURAL OPERATIONS BEING CONDUCTED ON CONTIGUOUS PROPERTIES ARE PROTECTED FROM NUISANCE CLAIMS, SO LONG AS THOSE CONTIGUOUS AGRICULTURAL OPERATIONS ARE IN COMPLIANCE WITH THE PROVISIONS SET FORTH IN ARTICLE I SECTION 4 OF THE CECIL COUNTY ZONING ORDINANCE.

WELLS MUST BE DRILLED AND COMPLETION REPORT SUBMITTED PRIOR TO BUILDING PERMIT APPROVAL.

LOTS 8 & 10 MAY REQUIRE A SEPTIC PUMP.

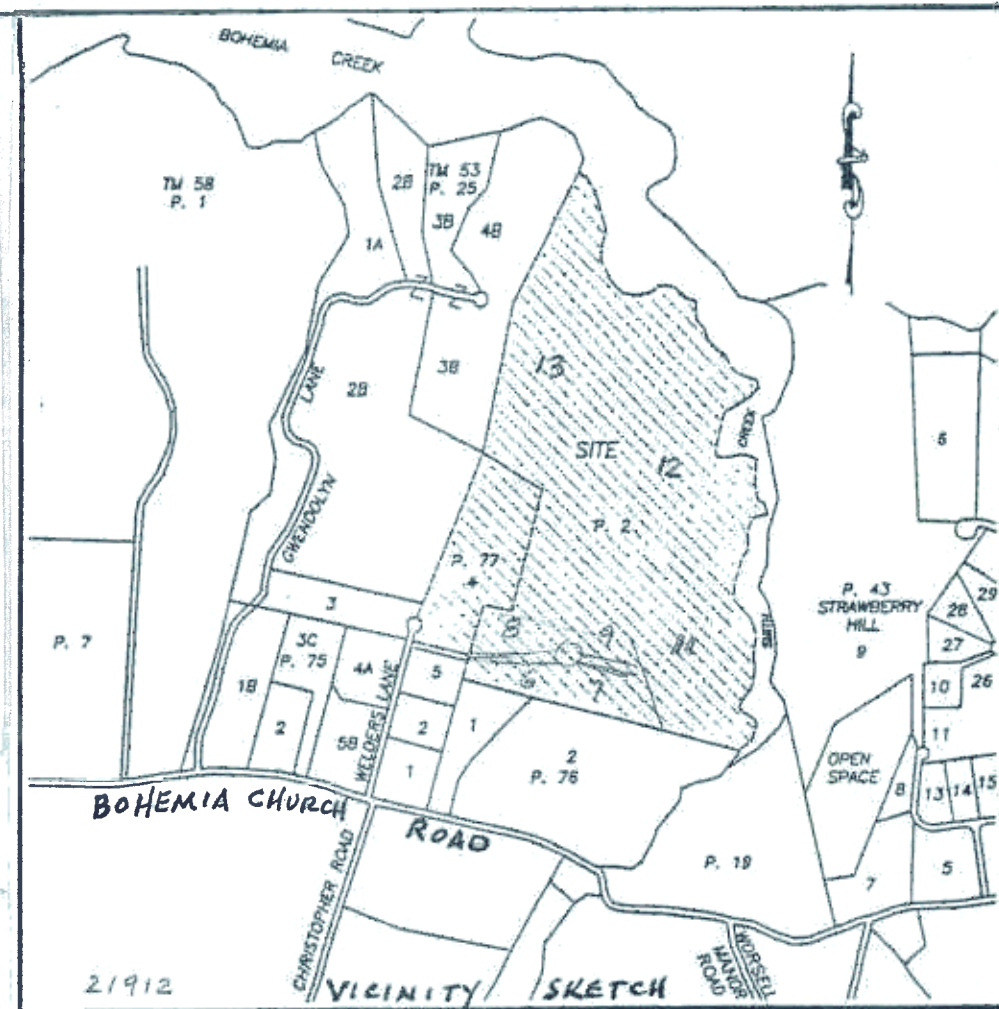
SITE STATISTICS

TOTAL SITE AREA	147.16 ACRES
IMPERVIOUS AREA (EXISTING)	1.40 ACRES
IMPERVIOUS AREA (PROPOSED)	2.59 ACRES
IMPERVIOUS AREA (TOTAL)	3.99 ACRES
EXISTING WOODLANDS	79.8 ACRES
WOODLANDS TO BE CLEARED	0.00 ACRES
PROPOSED AFORESTATION AREA	0.00 ACRES
PROPOSED WOODLAND RETENTION AREA	37.00 ACRES

PROPERTY OWNERS

TAX MAP	PARCEL	LOT	NAME	DEED	PLAT
58	77	4	JOHN R. HARRISON	WLB 819-651	PC 893-630
58	77	1	DARREN P. RACINE, ET UX.	WLB 1538-405	PC 777-397
58	77	2	MARK R. DELL	WLB 885-685	PC 803-449
58	77	3	TAYLOR CAMERON, ET UX.	WLB 1423-241	PC 893-630
58	77	5	C. CLIFFORD COOPER, ET UX.	WLB 889-616	PC 839-521
58	76	1	PAUL N. HEATH, ET UX.	WLB 885-688	PC 805-456
58	76	2	JOHN H. CURTIS, ET UX.	WLB 824-589	PC 805-456
58	19		UNITED BANK OF DENVER	NDS 327-666	
58	75	1B	RICHARD M. SHALLCROSS, ET UX.	WLB 860-729	PC 917-679
				WLB 1005-707	
58	75	2	JASON M. HOFERER, ET UX.	WLB 847-486	PC 917-679
58	75	3C	KEVIN CRATHER, ET UX.	WLB 980-096	PC 917-679
58	75	4A	JOHN A. MULLINS, ET AL.	WLB 858-150	PC 803-449
58	75	5B	JACK E. DEEMINS, ET UX.	WLB 904-561	PC 917-679
				WLB 138-533	
53	25	1A	KENNETH C. HOLT, ET UX.	WLB 689-588	PC 803-449
				WLB 583-641	
53	25	2B	GARY G. SCHLARBAUM, ET UX.	WLB 795-722	PC 817-479
				WLB 871-238	
53	25	3B	GARY G. SCHLARBAUM, ET UX.	WLB 1104-563	PC 1057-958
53	25	4B	JAN VAN EYNDOVEN, ET UX.	WLB 1320-429	PC 1057-958

FRANKLIN ESTATES P.C. 817-497



TAX MAP 58 GRID 03 SCALE: 1"=2000'

SITE DATA

TAX MAP 58 GRID 03 PARCEL 02 & 77
 WLB 819/651
 SOURCE OF TITLE (PARCEL 2) WLB 819/651
 SOURCE OF TITLE (PARCEL 77 - LOT 4) WLB 819/651

EXISTING ZONING SAR
 DATUM - HORIZONTAL ASSUMED
 DATUM - VERTICAL ASSUMED

GENERAL NOTES

- THE PURPOSE OF THIS PLAT IS TO SUBDIVIDE AN EXISTING PARCEL OF LAND (02) INTO 8 NEW BUILDING LOTS AND TO REVISE LOT 4 ON PARCEL 77. LOT 4 ON PARCEL 77 SHALL BE SUBDIVIDED TO CREATE ACCESS TO WELDERS LANE.
- THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH AND AS SUCH IS SUBJECT TO ANY EASEMENT, RIGHTS-OF-WAY AND/OR OTHER ENCUMBRANCES A SUBSEQUENT TITLE SEARCH MAY REVEAL.
- THE LOTS SHOWN HEREON ARE SUBJECT TO A FIVE (5) FOOT DRAINAGE AND UTILITY EASEMENT ALONG ALL SIDE AND REAR PROPERTY LINES.
- WATER SUPPLY TO THE EXISTING HOUSE IS PROVIDED BY PRIVATE ON-SITE WELL.
- SEWERAGE DISPOSAL FOR THE EXISTING HOUSE IS PROVIDED BY PRIVATE ON-SITE SEPTIC SYSTEMS.
- WATER SUPPLY TO THE PROPOSED HOUSES IS TO BE PROVIDED BY PRIVATE ON-SITE WELLS.
- SEWERAGE DISPOSAL FOR THE PROPOSED HOUSES IS TO BE PROVIDED BY PRIVATE ON-SITE SEPTIC SYSTEMS.
- PART OF THIS SITE LIES WITHIN THE CHESAPEAKE BAY CRITICAL AREA. THE CRITICAL AREA ZONING DISTRICT IS "RCA".
- BUILDING SETBACKS:

SAR (FRONT)	40'
SAR (SIDE)	10'
SAR (REAR)	40'
- TOPOGRAPHY WAS TAKEN FROM PRELIMINARY PLAT FOR LANDS OF JOHN R. HARRISON AS PREPARED BY WILLIAM A. CARROLL.
- SOILS WERE TAKEN FROM USDA SOILS MAP OF CECIL COUNTY.
- PROPERTY LINES SHOWN HEREON ARE A RESULT OF A FIELD SURVEY PERFORMED BY DELMARVA GPS.
- PERCOLATION HOLES WERE FIELD LOCATED BY DELMARVA GPS.

ROAD DESIGN AND STORMWATER MANAGEMENT PLANS PREPARED BY ENGINEER DAVIS, MOORE, SHEARON & ASSOC., LLC AND HAVE BEEN SUBMITTED FOR REVIEW. THE EXISTING LANE, TO BE USED FOR ACCESS BY LOT 12, WILL BE A SHARED USE LANE TO BENEFIT LOT 4A AND LOT 11. A PRIVATE EASEMENT AGREEMENT WILL BE RECORDED.

Received APR 23 2008 Cecil County Office of Planning & Zoning

DENSITY TABULATION
 ZONING - SAR (MAX. ALLOWABLE DENSITY - 1 LOT/8 ACRES - 0.125 LOTS PER ACRE)
 PARCEL 2 & 77 (LOTS 4 & 5) ACREAGE = 149.291
 MAXIMUM ALLOWABLE DENSITY = 1 LOT/8 ACRES (0.125 LOTS PER ACRE)
 ALLOWABLE NO. OF LOTS = 18 (149.291 ÷ 0.125 = 18.66)
 DENSITY = 1 LOT/14.93 ACRES (0.0670 LOTS PER ACRE)
 PROPOSED NUMBER OF NEW LOTS ON PARCEL 02 = 8
 PROPOSED NUMBER OF NEW LOTS ON PARCEL 77 = 0
 NUMBER OF LOTS IN CRITICAL AREA (DESIGNATED "RCA") = 3
 CRITICAL AREA ACREAGE = 104.351
 ALLOWABLE DENSITY IN CRITICAL AREA = 1 LOT/20 ACRES (0.050 LOTS PER ACRE)
 ALLOWABLE NUMBER OF LOTS IN CRITICAL AREA = 5 (104.351 ÷ 0.050 = 5.22)
 DENSITY = 1 LOT/34.78 ACRES (0.029 LOTS PER ACRE)
 OPEN SPACE REQUIRED = 0.00 ACRES
 OPEN SPACE PROPOSED = 0.00 ACRES
 OPEN SPACE NOT REQUIRED PER ARTICLE III SECTION 23.3
 CRITICAL AREA DESIGNATED "RCA" SHALL HAVE MAXIMUM OF 15% IMPERVIOUS COVERAGE (21.880 ACRES)
 IMPERVIOUS COVERAGE PROPOSED = 3.5 + (2.4%)



PROPOSED LOT AREAS

LOT 4A	3.100 ACRES ±
LOT 6	1.499 ACRES ±
LOT 7	3.319 ACRES ±
LOT 8	2.570 ACRES ±
LOT 9	2.68 ACRES ±
LOT 10	2.250 ACRES ±
LOT 11	45.01 ACRES ± (CRITICAL AREA = 34.388 ACRES ±)
LOT 12	38.350 ACRES ± (CRITICAL AREA = 36.189 ACRES ±)
LOT 13	47.314 ACRES ± (CRITICAL AREA = 33.774 ACRES ±)

OWNER AND DEVELOPER
JOHN R. HARRISON
895 NOTTINGHAM ROAD
ELKTON, MARYLAND 21921

SHEET 1	INDEX
SHEET 2	LOTS 4A & 6 - 10
SHEET 3	LOTS 4A & 6 - 10, 11 - 13 SOUTH
SHEET 4	LOTS 11, 12 NORTH & LOT 13
SHEET 5	FOREST CONSERVATION AREA

PRELIMINARY-FINAL PLAT

SECTION II
SMITH CREEK
LOTS 4A, 6 - 13

FIRST ELECTION DISTRICT
CECIL COUNTY, MARYLAND

WELSH ENGINEERING
2 PARADISE DRIVE
HAVRE DE GRACE, MD 21078
410-939-1304 SHEET 1 OF 5

SCALE: 1" = 300' DATE: 4-18-2008

OWNER'S CERTIFICATION

CERTIFICATION IS HEREBY MADE THAT TO THE BEST OF MY KNOWLEDGE THE REQUIREMENTS OF SECTION 3-108, REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, CONCERNING THE PREPARATION OF THIS PLAT AND THE SETTING OF MARKERS, HAVE BEEN COMPLIED WITH. THE SUBDIVISION SHOWN ON THIS PLAT IS MADE WITH OUR CONSENT AND IT IS DESIRED THAT THIS PLAT BE RECORDED.

4/23/08 John R. Harrison
DATE OWNER

SURVEYOR'S CERTIFICATION

CERTIFICATION IS HEREBY MADE THAT PREPARATION OF THIS SUBDIVISION IS IN COMPLIANCE WITH SECTION 3-108, REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND SUBSEQUENT AMENDMENTS.

4-18-08
DATE REGISTERED SURVEYOR

Received and on same day recorded in Liber No. _____ folio _____ one of the Record _____ books of Cecil County and Examined per _____ Clerk Circuit Court for Cecil County

APPROVED BY: CECIL CO. DEPT. OF PLANNING & ZONING

DIRECTOR DATE

APPROVED BY: CECIL CO. DEPT. OF PUBLIC WORKS

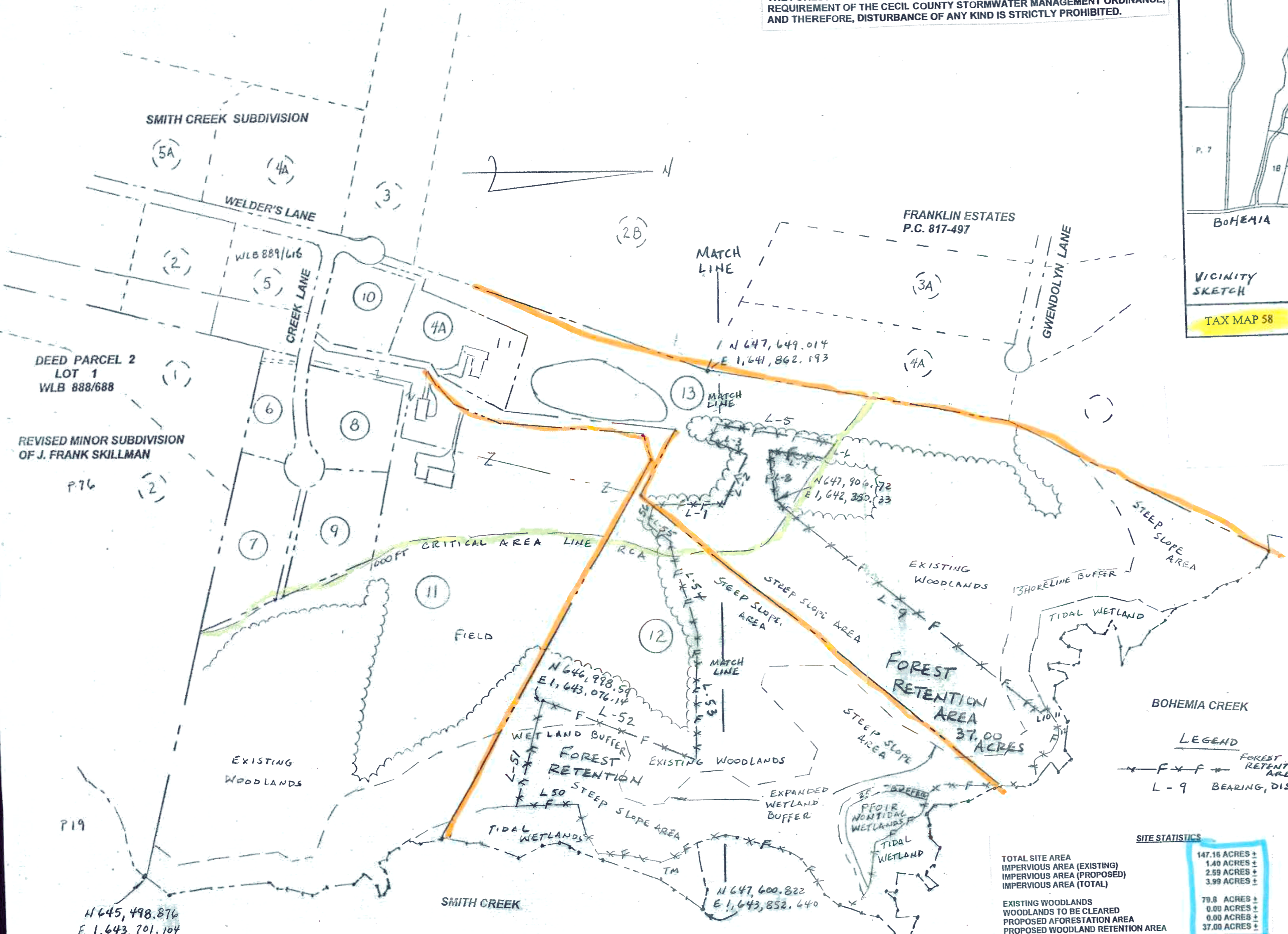
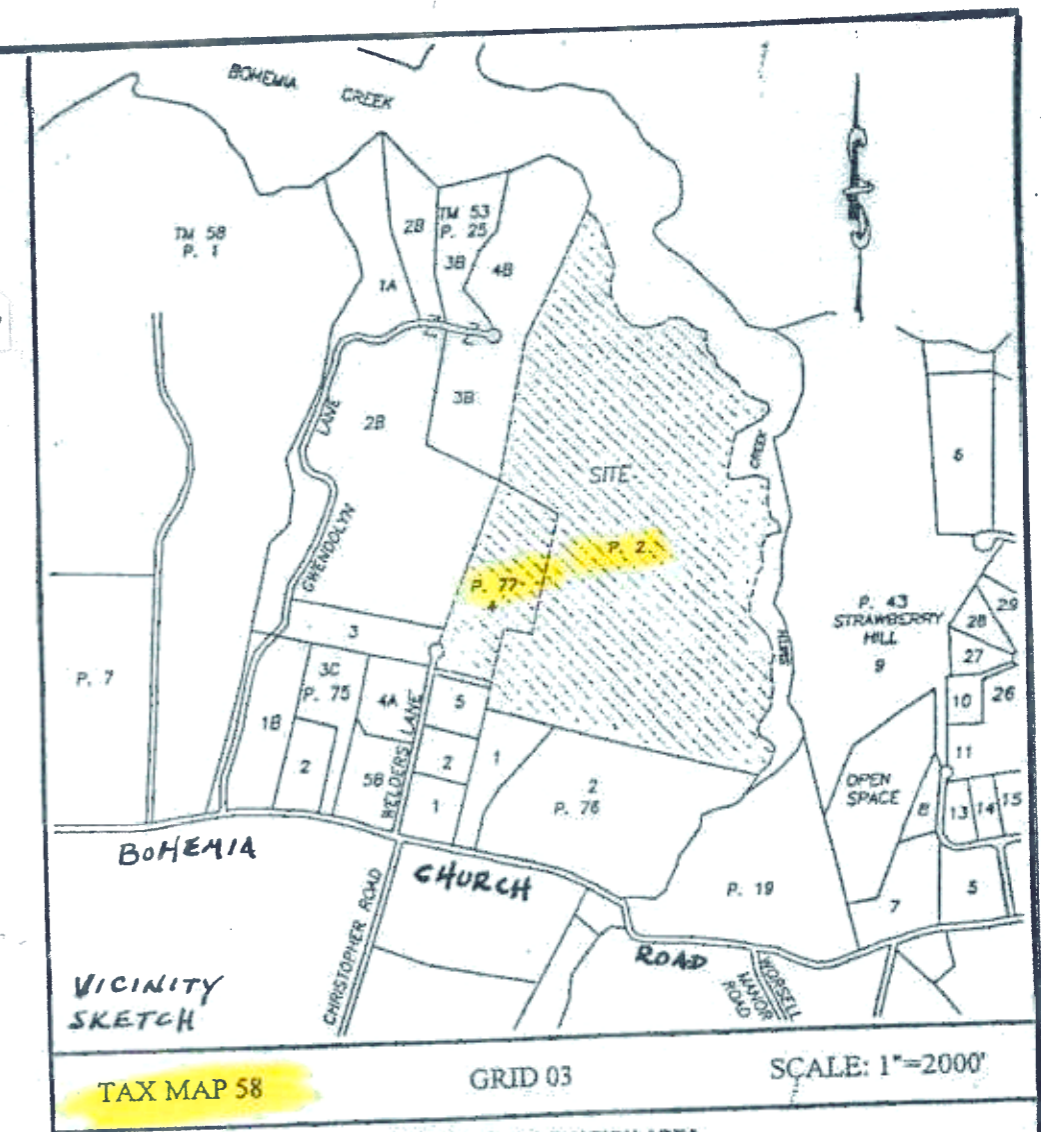
DIRECTOR DATE

APPROVED BY: CECIL COUNTY DEPT. OF ENVIRONMENTAL HEALTH DEPARTMENT

DIRECTOR DATE

JOINT PERMIT APPLICATION WILL NEED TO BE FILED WITH THE ARMY CORPS OF ENGINEERS AND/OR DEPARTMENT OF NATURAL RESOURCES FOR ANY REGULATED ACTIVITY WITHIN ANY NONTIDAL WETLAND OR NONTIDAL WETLAND BUFFER PRESENT OR SHOWN HEREON. NO DISTURBING ACTIVITIES ARE PROPOSED FOR THE WETLANDS AND BUFFER AREAS.

THE FOREST CONSERVATION AREA(S), AS SHOWN HEREON, SATISFIES A REQUIREMENT OF THE CECIL COUNTY STORMWATER MANAGEMENT ORDINANCE, AND THEREFORE, DISTURBANCE OF ANY KIND IS STRICTLY PROHIBITED.



LINE	BEARING	DISTANCE
L-1	N 0° 38' 05" W	268.11
L-2	N 83° 26' 08" W	201.40
L-3	S 14° 02' 10" W	155.46
L-4	N 83° 02' 38" W	78.69
L-5	N 9° 34' 04" E	523.94
L-6	S 33° 28' 35" E	108.11
L-7	S 3° 35' 05" W	192.81
L-8	N 84° 58' 48" E	174.74
L-9	N 39° 26' 52" E	1,296.22
L-10	N 15° 34' 09" E	30.15
L-11	N 87° 46' 23" E	39.21
L-12	S 79° 28' 38" E	26.87
L-13	S 58° 45' 27" E	45.91
L-14	S 19° 01' 10" E	45.91
L-15	S 50° 03' 23" E	38.12
L-16	N 84° 23' 29" E	44.28
L-17	S 60° 01' 37" E	14.25
L-18	S 39° 15' 08" E	30.02
L-19	S 9° 26' 39" E	57.44
L-20	S 4° 38' 02" W	58.22
L-21	S 1° 19' 25" W	137.07
L-22	S 3° 31' 19" W	43.30
L-23	S 8° 59' 27" W	43.23
L-24	S 37° 19' 17" E	53.79
L-25	N 61° 12' 49" E	49.48
L-26	S 35° 11' 46" E	88.68
L-27	S 31° 01' 49" E	88.65
L-28	S 44° 13' 41" E	45.02
L-29	S 22° 53' 33" E	74.38
L-30	S 81° 31' 54" E	105.55
L-31	S 83° 54' 39" E	48.45
L-32	S 65° 01' 26" E	40.42
L-33	S 54° 18' 15" E	26.38
L-34	S 9° 32' 44" E	45.54
L-35	S 8° 24' 52" E	53.94
L-36	S 41° 23' 11" W	63.69
L-37	S 58° 11' 08" W	153.95
L-38	S 35° 30' 22" W	48.42
L-39	S 16° 43' 47" W	202.28
L-40	S 9° 55' 23" W	44.28
L-41	S 14° 07' 07" E	105.90
L-42	S 31° 31' 07" E	84.22
L-43	S 21° 58' 13" E	73.43
L-44	S 11° 54' 59" W	94.29
L-45	S 5° 46' 17" E	122.48
L-46	S 52° 16' 17" W	31.88
L-47	S 58° 28' 09" W	78.32
L-48	S 73° 42' 32" W	130.87
L-49	S 80° 41' 39" E	166.28
L-50	S 38° 32' 59" W	221.27
L-51	N 72° 50' 00" W	400.00
L-52	N 19° 47' 02" E	603.78
L-53	N 88° 35' 06" W	441.88
L-54	S 73° 27' 58" W	395.56
L-55	S 44° 35' 16" W	87.31
L-56	N 78° 37' 05" W	85.84

LEGEND
 - - - - - FOREST RETENTION AREA
 L-9 BEARING, DISTANCE

SITE STATISTICS

TOTAL SITE AREA	147.15 ACRES ±
IMPERVIOUS AREA (EXISTING)	1.40 ACRES ±
IMPERVIOUS AREA (PROPOSED)	2.59 ACRES ±
IMPERVIOUS AREA (TOTAL)	3.99 ACRES ±
EXISTING WOODLANDS	79.8 ACRES ±
WOODLANDS TO BE CLEARED	0.00 ACRES ±
PROPOSED AFORESTATION AREA	0.00 ACRES ±
PROPOSED WOODLAND RETENTION AREA	37.00 ACRES ±

PROPOSED LOT AREAS

LOT 4A	3.100 ACRES ±
LOT 6	1.499 ACRES ±
LOT 7	3.319 ACRES ±
LOT 8	2.570 ACRES ±
LOT 9	2.68 ACRES ±
LOT 10	2.250 ACRES ±
LOT 11	45.01 ACRES ± (CRITICAL AREA = 34.368 ACRES ±)
LOT 12	38.350 ACRES ± (CRITICAL AREA = 36.189 ACRES ±)
LOT 13	47.314 ACRES ± (CRITICAL AREA = 33.774 ACRES ±)

THE FOREST RETENTION AREA (37.00 ACRES) SHOWN IS BASED UPON THE STORMWATER MANAGEMENT PLAN REQUIREMENTS FOR THE PROPOSED DEVELOPMENT.

OWNER AND DEVELOPER
 JOHN R. HARRISON
 895 NOTTINGHAM ROAD
 ELKTON, MARYLAND 21921

OWNER'S CERTIFICATION

CERTIFICATION IS HEREBY MADE THAT TO THE BEST OF MY KNOWLEDGE THE REQUIREMENTS OF SECTION 3-108, REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, CONCERNING THE PREPARATION OF THIS PLAT AND THE SETTING OF MARKERS, HAVE BEEN COMPLIED WITH. THE SUBDIVISION SHOWN ON THIS PLAT IS MADE WITH OUR CONSENT AND IT IS DESIRED THAT THIS PLAT BE RECORDED.

SURVEYOR'S CERTIFICATION

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4-18-08
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 _____ Clerk
 Circuit Court for Cecil County

FOREST CONSERVATION PLAN

PRELIMINARY-FINAL PLAT

SECTION II
 SMITH CREEK
 LOTS 4A, 6 - 13

FIRST ELECTION DISTRICT
 CECIL COUNTY, MARYLAND

WELSH ENGINEERING
 2 PARADISE DRIVE
 HAVRE DE GRACE, MD 21078
 410-939-1304

SCALE: 1" = 300' DATE: 4-18-2008 SHEET 5 OF 5

APPROVED BY: CECIL CO. DEPT. OF PLANNING & ZONING
 OR _____ DATE _____
 APPROVED BY: CECIL CO. DEPT. OF PUBLIC WORKS
 OR _____ DATE _____
 APPROVED BY: CECIL COUNTY DEPT. OF ENVIRONMENTAL HEALTH DEPARTMENT
 OR _____ DATE _____

PERCOLATION TEST RESULTS

Table with 3 columns: PERC TEST NO., DEPTH, RESULTS. Rows 22-85.

Table with 3 columns: LOT 4A LINE, BEARING, DISTANCE. Rows L-304 to L-307.

Table with 3 columns: LOT 10 LINE, BEARING, DISTANCE. Rows L-308 to L-211.

- LEGEND: CIPF, IPF, CIPS, PROPOSED HOUSE, P78 PERC HOLE, EXISTING CONTOUR, EXISTING SOILS LINE.

Table with 3 columns: LOT 6 LINE, BEARING, DISTANCE. Rows L-527 to L-526.

WELLS MUST BE DRILLED AND COMPLETION REPORT SUBMITTED PRIOR TO BUILDING PERMIT APPROVAL. LOTS 8 & 10 MAY REQUIRE A SEPTIC PUMP.



Table with 3 columns: LOT 7 LINE, BEARING, DISTANCE. Rows L-229 to L-512.

Table with 3 columns: LOT 9 LINE, BEARING, DISTANCE. Rows L-511 to L-522.

Table with 3 columns: LOT 8 LINE, BEARING, DISTANCE. Rows L-223 to L-222.

OWNER AND DEVELOPER JOHN R. HARRISON 895 NOTTINGHAM ROAD ELKTON, MARYLAND 21921

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DATE OWNER

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DATE REGISTERED SURVEYOR

Table with 3 columns: LOT 12 LINE, BEARING, DISTANCE. Rows L-215 to L-202.

Table with 3 columns: LOT 11 LINE, BEARING, DISTANCE. Rows L-94 to L-202.

Table with 3 columns: LOT 13 LINE, BEARING, DISTANCE. Rows L-403 to L-402.

PROPOSED LOT AREAS

Table with 2 columns: LOT, ACRES. Rows LOT 4A to LOT 13.

PRELIMINARY-FINAL PLAT

SECTION II SMITH CREEK LOTS 4A, 6-13

FIRST ELECTION DISTRICT CECIL COUNTY, MARYLAND

WELSH ENGINEERING 2 PARADISE DRIVE HAVRE DE GRACE, MD 21078 410-939-1304

SHEET 3 OF 5

SCALE: 1" = 200' DATE: 4-18-2008

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