

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/

February 21, 2008

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

Re: Simms Family Subdivision
Case Number 08-110-003

Dear Ms. Glenn:

Thank you for submitting the above referenced site plan for review and comment. The applicant is proposing a two lot subdivision. The parcel is partially located in the Critical Area and contains approximately 1.07 acres of Resource Conservation Area (RCA). However, no portion of the RCA will be affected by the subdivision as it will be part of a 3.53 acre Outparcel.

Based on the information provided I have the following comments:

1. The Critical Area notes indicate there is no existing forest vegetation within the Critical Area; however the plat depicts a vegetation line. The applicant should clarify whether forest vegetation is present on the site.
2. The site must be reviewed by the Department of Natural Resources Heritage Division verifying that there are no impacts to any rare, threatened, or endangered species, before final approvals are granted.

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

Sincerely,

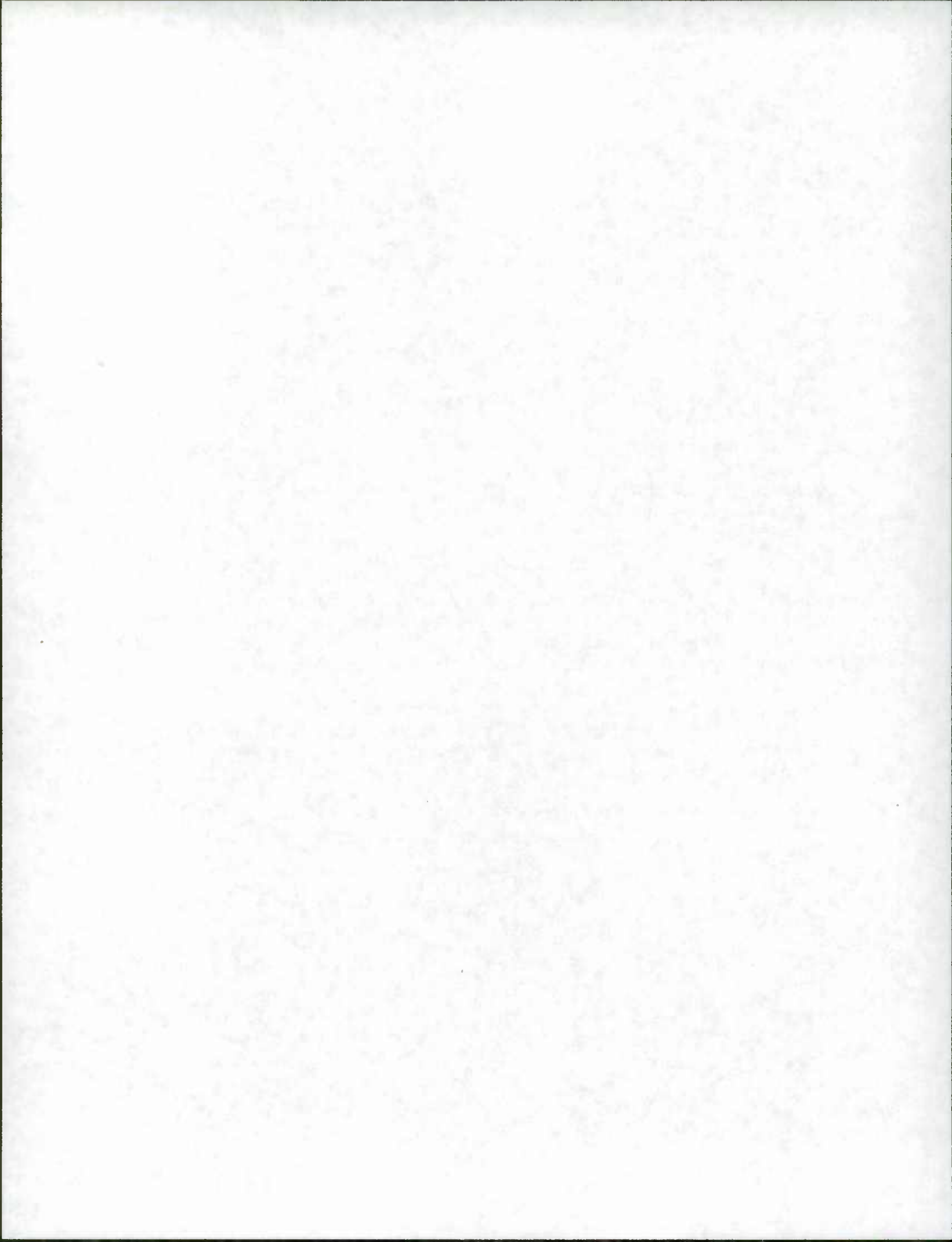
A handwritten signature in cursive script that reads "Kate Schmidt".

Kate Schmidt
Natural Resource Planner
SM 109-08

Cc: Ms. Sue Veith, Environmental Planner

TTY for the Deaf
Annapolis: (410) 974-2609 D.C. Metro: (301) 586-0450





CRITICAL AREA NOTES

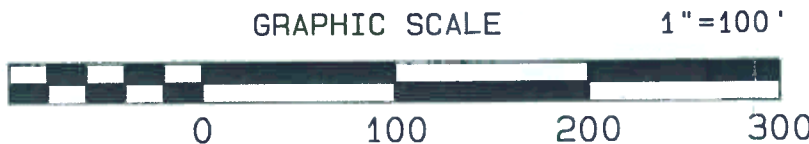
- Approximately 1.07 acres of this site lie within Maryland's Critical Area. Any and all development activities proposed within this area are subject to Critical Area regulations and will not be permitted until all appropriate local, state, and federal agencies have conducted a thorough environmental review and have approved the development plan.
- The Critical Area Buffer must remain in natural vegetation and may not be disturbed except as provided under Chapter 71 Section 8 (Habitat Protection Standards) of the St. Mary's County Comprehensive Zoning Ordinance (CZO) 02-01.
- No Development is permitted in wetlands without approval from the appropriate local, state and federal agencies.
- All existing forest shown hereon in the Critical Area shall remain undisturbed except as permitted under the provisions of Chapter 72 (Forest and Woodland Resources in the Critical Area) of the St. Mary's County Comprehensive Zoning Ordinance. Any and all afforested or reforested areas created under the provisions of the St. Mary's County Critical Area Ordinance and designated on this plat shall be preserved from future disturbances.
- Locations of natural heritage areas, habitats of threatened or endangered species, and habitats of significant plants or wildlife are identified on this plat in accordance with Section 71.8 of the St. Mary's County Comprehensive Zoning Ordinance (CZO) 02-01.
- Existing impervious surfaces within the 100 foot Critical Area Buffer is -0- square feet.
- Area of slopes 15% or greater in the Critical Area is 16,400 square feet.
- Existing trees or forested area in the Critical Area is -0- square feet.
- Area of existing impervious in the Critical Area is -0- square feet.
- Proposed area of vegetation clearing in the Critical Area is -0- square feet.
- Proposed area of soil disturbance in the Critical Area is -0- square feet.
- Proposed area of impervious surface in the Critical Area is -0- square feet.
- Required area of reforestation or afforestation is -0- square feet.

GENERAL NOTES

- Subject property is located on Tax Map 62 at Block 5 as Parcel 198
- The total area of this site is 11.06 Acres +/-
- Subject property appears to lie within the RPD (Rural Preservation District) and partially within the RCA (Residential Critical Area) overlay zoning districts as shown on St. Mary's County official Zoning Maps. Building Restriction Lines (BRL's) shall be as shown hereon. The BRL's are mapped in accordance with the St. Mary's County Comprehensive Zoning Ordinance (CZO) 02-01, Chapter 32.3.2 and Schedule 32.1 for Zone RPD as follows: 25' Front, 15' Side, and 20' Rear applied from the more restrictive of the lots lines or from sensitive areas mapped per CZO 02-01 Chapter 71 (Resource Protection).
- These lots are to be served by individual septic mound systems and deep drilled wells. Deep Drilled Wells shall be drilled to an approved confined aquifer.
- This Health Department Approval certifies the above lots are in consonance with pertinent Health Department Laws and Regulations as of the approval date; however, this approval is subject to changes in such laws and regulations. Changes in topography or site designations may void this approval. The designated perc area is the only area approved by the St. Mary's County Health Department for sewage disposal purposes. The approved lots include a minimum area of 10,000 sq. ft. for sewage disposal purposes, as required by current Maryland State Health Law. Improvement of any nature including but not limited to the installation of other utility lines in this area may render the lot undevelopable. To determine the exact area of the lot approved for sewage disposal purposes, or to establish a different area for such purposes, you should contact the St. Mary's County Health Department, Office of Environmental Health.
- This subdivision is in compliance with the St. Mary's County Comprehensive Water and Sewerage Plan.
- There shall be a 10' Utility Easement along all lot lines. The easements are to include use by the St. Mary's County Metropolitan Commission, its successors and assigns, for construction, maintenance, repair, inspection and operation of public water and sewer facilities, should such facilities ever be installed.
- Unless otherwise shown, there are no restrictions of record affecting this subdivision, subject to a Title Search.
- Areas established for Resource Protection on this site, in accordance with required protection levels, must remain in undisturbed open space & undeveloped.
- The Outparcel shown hereon has not been evaluated for compliance with Chapter 70 of the St. Mary's County Zoning Ordinance (Adequate Facilities) and cannot be used as a legal building site until the Outparcel is further subdivided in accordance with the St. Mary's County Subdivision Regulations and Zoning Ordinance.
- Lots 1 and 2 are to be accessed by the 30' Access Easement (Christianna Lane), as shown hereon.
- CAUTION: This access easement does not necessarily provide access from these lots to a County or State road at this time. Road and utility construction and maintenance are the responsibility of the buyer of these lots, unless otherwise provided hereon.
- There are no existing non-conforming structures contained within subject lots in accordance with Chapter 52.4 of the St. Mary's County Zoning Ordinance.
- Current Water and Sewerage Plan Category Designation are as follows: Water = W-N.P.S. and Sewer = S-N.P.S.
- No plans currently exist for future subdivision.
- Lots 1 and 2 shown hereon, Lot 500-1-Lot 2, and Farmstead A of Christianna Farm Subdivision (Plats 51/73 & 63/51), a total of 4 lots, shall be served by the 30' Access Easement (Christianna Lane) as shown hereon. The above lots are to be served by an R-20 multiple driveway entrance as per the St. Mary's County Road Ordinance. The Developer shall be responsible for the installation/bonding of the multiple driveway entrance prior to the recording of this plat.
- Premise Addresses for the Lots hereon are shown as thus: (XXXXX)
- This plat was prepared without the benefit of a Title Report, which could reveal additional conveyances, easements, covenants, rights-of-way and/or more stringent building restriction lines not shown hereon.
- The Horizontal and Vertical Datums shown hereon are assumed. North Rotation is referenced to the Deed recorded in Liber EWA 1494 at Folio 37.
- The Subject Property Shown Hereon appears to be located in Flood Hazard Zone "X" as delineated on Flood Insurance Rate Maps for St. Mary's County, Maryland, as distributed by the Federal Emergency Management Agency, Community Panel Number 24031C033TE, Effective Date October 19th, 2004.
- Non-Tidal Wetlands information on site of subject subdivision was derived from the "National Wetlands Inventory" Maps distributed by the U.S. Department of the Interior, FWS St. Mary's City, MD, and Maryland DNR maps.
- Soils Information shown hereon was taken from the "Soil Survey of St. Mary's County, Maryland" as prepared by the U.S. Department of Agriculture, Soil Conservation Service Sheet #31 thereof.
- Except for the Field Run Topography around subject Sewage Reserve Areas, topographic information shown hereon was taken from digital maps obtained from the St. Mary's County Government, using photogrammetric and laser imaging (LIDAR) methods.
- There appear to be no Critical Habitats, Cultural Features or Historic Sites located within subject property per MERLIN online maps.
- The approximate area of subject property which contains grades less than 15% is 4.91 acres, more or less. This comprises approximately 40% of subject property which is greater than the 30% minimum required by Section 4.4.h.1 of the St. Mary's County Stormwater Management, Grading, and Erosion and Sediment Control Ordinance.
- The lots shown hereon contain an area of at least 20,000 square feet not including rights-of-way (existing or proposed), 50 year flood plains, and grades of 25% or greater.
- Unless otherwise shown hereon, there are no wells or septic systems within 100' of the lot lines.
- Prior to the issuance of a Building Permit for lots 1 and 2 Stormwater Management and Over-Lot Grading shall be provided in accordance with the St. Mary's County Stormwater Management, Grading, Erosion and Sediment Control Ordinance.
- This Subdivision is in compliance with the St. Mary's CZO 02-01, Schedule 32.1, Footnote #8, allowing one additional lot for transfer to a family member.

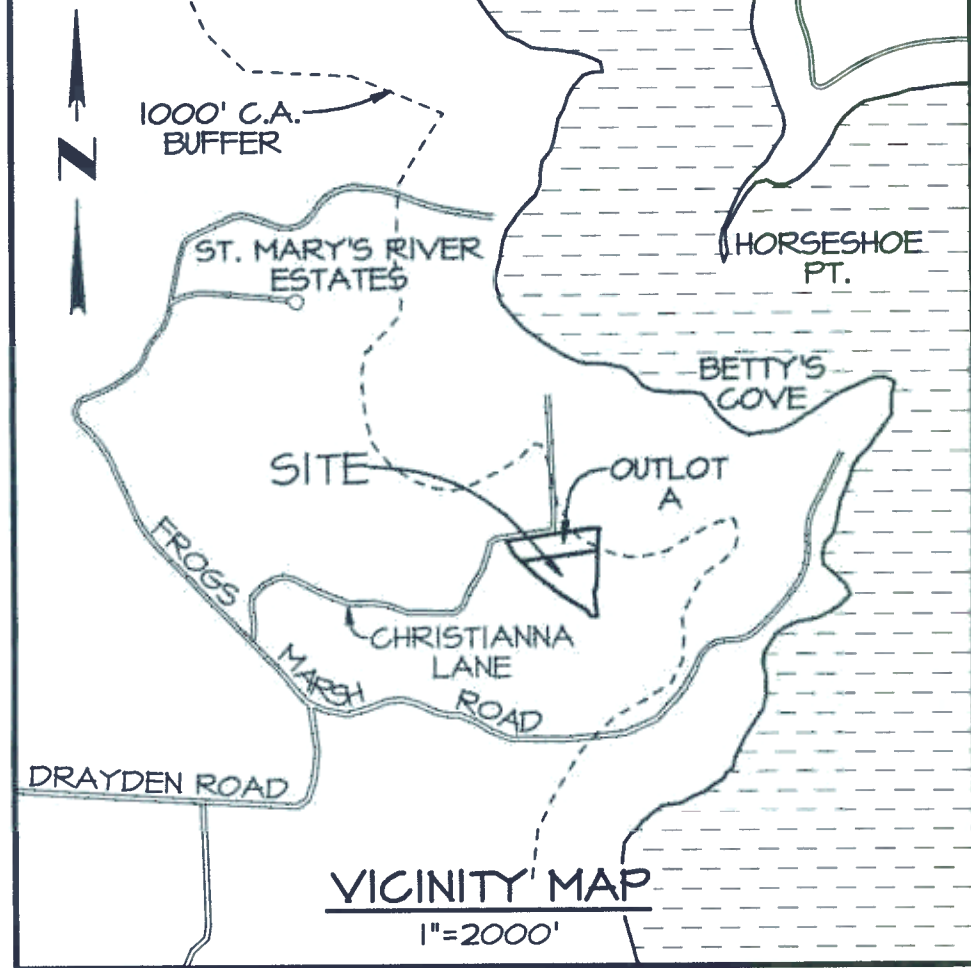


LINE	RADIUS	ARC	CHORD BEARING	CHORD	DELTA	TANGENT
C1	90.00'	110.91'	N52°43'25"W	104.02'	70°36'24"	63.73'
C2	120.00'	61.19'	S32°00'30"E	60.53'	29°13'06"	31.28'



LEGEND

- PROPERTY LINE
- PROPERTY LINE ADJOINING
- ACCESS/UTILITY EASMT.
- PERC TEST
- 1000' CRIT. AREA BOUND.
- PUBLIC UTILITY EASMT.
- INTERMITTENT STREAM
- 50' STREAM BUFFER
- PROPOSED S.R.A.
- SOILS TYPE DIVISION LINE
- LIMIT OF EXISTING FOREST
- 2' CONTOUR (LIDAR)
- 10' CONTOUR (LIDAR)
- HIGHLY ERODIBLE SOIL TYPES
- HYDRIC SOIL TYPES
- STEEP SLOPES (25% +)
- STEEP SLOPES (15% - 25%)



OWNER'S CERTIFICATE

We, John J. Simms, III, and Sheila Ann Simms, the owners of the property shown hereon and described in the Surveyor's Certificate affixed hereto, hereby adopt this plat of subdivision upon its approval by all required agencies. There are no pending suits or actions at law, leases, liens, mortgages or deeds of trust affecting this subdivision except as noted or shown hereon. All parties in interest thereto have affixed their signatures indicating their assent to this plan.

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

The requirements of Section 3-10B of the Annotated Code of Maryland (Real Property Article) as far as it concerns the making of this plan and setting of the markers required therein have been complied with to the best of our knowledge, information and belief.

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

John J. Simms, III _____ Date _____

SURVEYOR'S CERTIFICATE

I, the undersigned, a Licensed Surveyor in the State of Maryland, hereby certify, to the best of my knowledge, information and belief, that: this plat was prepared under my direct responsible charge; this plat and the survey work it reflects are in compliance with COMAR 09.13.06.12; the plat shown hereon is correct (subject to title search) and conforms to the specifications; this is a Minor Subdivision Plat of all of the lands conveyed unto John J. Simms, III, and Sheila Ann Simms by deed dated December 15, 1999 from John J. Simms, III, as recorded among the Land Records for St. Mary's County, Maryland, in Liber EWA 1494 at Folio 37.

The requirements of Section 3-10B of the Annotated Code of Maryland (Real Property Article) as far as it concerns the making of the plan and setting of the markers required therein have been complied with to the best of my knowledge, information and belief.

William P. Higgs
 William P. Higgs
 Professional Land Surveyor
 MD. Registration # 10808
 1-15-08
 Date _____



ST. MARY'S COUNTY HEALTH DEPARTMENT APPROVAL

RECEIVED

FEB 15 2008 DATE

CRITICAL AREA COMMISSION

Sanitarian _____ DATE _____

Director _____ DATE _____

Chairman _____ DATE _____

RECEIVED

JAN 16 2008

ST. MARY'S COUNTY LAND USE & GROWTH MANAGEMENT

LSR

LITTLE SILENCES REST, INC.

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

DATE 12/21/07

JOB# 0028-01

FOLDER M62B5

SCALE 1" = 100'

DRAWN KB

CHECKED WPH

REVISIONS

SHEET 1 OF 1

INTERFAMILY SUBDIVISION PRELIMINARY PLAN

SIMMS FAMILY SUBDIVISION

SECOND ELECTION DISTRICT
 ST. MARY'S COUNTY, MARYLAND

FOR: JOHN SIMMS

ZONING NUMBER: 08-110-