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/

May 6, 2010

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

Re: Ashland Farm Subdivision M1106 (TM 33 P 37)

Dear Ms. Verdery:

Thank you for providing information on the above-referenced subdivision. The applicant is proposing to create a major four-lot subdivision. The parcel is 86.48 acres in size, with 81.89 acres located in the Critical Area and designated as a Resource Conservation Area (RCA). Based on the information provided, we have the following comments:

- 1. If this subdivision is approved, the applicant will have exhausted all four development rights remaining in the Critical Area for this parcel.
- 2. The comments in our July 25, 2008 letter regarding the 200-foot Buffer still applies. We note that, should this subdivision not be recorded by July 1, 2010, then a 200-foot Buffer shall apply. This is of particular concern for this project, as the Sewage Disposal Areas (SDA) and building envelopes are all located within the 200-foot Buffer area.
- 3. It appears that the applicant is proposing this upgrade in order to establish a private road on the property. It is unclear if this upgrade will require any structural changes to the gravel roadway, particularly within the 100-foot Buffer. If expansion of the road is required and disturbance to the Buffer is necessary, then a variance will be required. New lots created after the County's Critical Area Program adoption date must fully comply

with all of the County's Critical Area regulations. Therefore, it is unlikely that this office would support a variance request for upgrades to the road impacts.

- 4. The environmental assessment states that MDE visited the site to determine the extent of wetlands and streams onsite. This should be noted on the plat, including the date the field delineation was completed.
- 5. The "Clearing Within Buffer" note on the plat should be revised to remove the following sentence: "Cutting and/or mowing of natural vegetation within the Buffer is subject to review by the Planning and Zoning Office." We note that cutting or mowing of vegetation is prohibited within the Buffer (COMAR 27.01.09.01).
- 6. The following words should be removed from the "Shoreline Development Buffer Statement:" "Upon Change of Land Use."
- 7. 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. Final subdivision approval cannot be granted without 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.

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:

TC 402-08

Chris Waters, Waters Professional Land Surveying

Martin O'Malley Governor

Anthony G. Brown Lt. Governor



Margaret G. McHale

Ren Serey

Executive Director

STATE OF MARYLAND CRITICAL AREA COMMISSION CHESAPEAKE AND ATLANTIC COASTAL BAYS

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

February 9, 2010

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

Re: Ashland Farm Subdivision M1106 (TM 33 P 37)

Dear Ms. Verdery:

Thank you for providing information on the above-referenced subdivision. The applicant is proposing to create a major four-lot subdivision. The parcel is 86.48 acres in size, with 81.89 acres located in the Critical Area and designated as a Resource Conservation Area (RCA). Based on the information provided, we have the following comments:

- 1. If this subdivision is approved, the applicant will have exhausted all four development rights remaining in the Critical Area for this parcel.
- 2. The comments in our July 25, 2008 letter regarding the 200-foot Buffer still applies. We note that, should this subdivision not be recorded by July 1, 2010, then a 200-foot Buffer shall apply. This is of particular concern for this project, as the Sewage Disposal Areas (SDA) and building envelopes are all located within the 200-foot Buffer area.
- 3. The provided soil map for the site shows an area of Mattapex soil which appears to be contiguous to the Buffer. The applicant states hydric soils are present onsite, but that expansion is not necessary since existing slopes are less than 5%. We note that the Buffer shall be expanded for hydric soils as well, regardless of slope. Please show this expanded

Buffer on the site plan. Revisions to Lots 2, 4, and 5 may be required as a result of this expansion.

- 4. The applicant states that there are no State-owned tidal wetlands on the site, yet a State-owned tidal area is located between Lots 3 and 4, as well as in the Remaining Lands Area. Please provide the total amount of State-owned tidal wetlands on the site. This amount may ultimately impact the number of development rights permitted on this parcel. For this reason, field delineation of wetland species and the location of Mean High Water is necessary. Please forward the environmental report to this office once a field delineation is finalized.
- 5. The environmental assessment states that MDE visited the site to determine the extent of wetlands and streams onsite. This should be noted on the plat, including the date the field delineation was completed.
- 6. We recommend that the existing barn located within the 100-foot Buffer on the Remaining Lands Area be removed or relocated outside of the Buffer.
- 7. Please note, on Sheet 1, in the Waterfowl Staging Note, that restrictions for shoreline work will apply between November 15 and March 1.

Finally, Commission staff would like to notify both the County and the applicant that regulations concerning the 100-foot and expanded Buffer were published in the Maryland Register on November 20, 2009 (COMAR 27.01.09.01- COMAR 27.01.09.01-7). It is expected that these regulations will be finalized, and thus become effective, on March 8, 2010. Since this project is covered by the new State regulations and will be reviewed by the County's Planning Commission after this effective date, the project must meet the requirements found in the aforementioned sections of COMAR in order to be approved by the County. 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. 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.

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

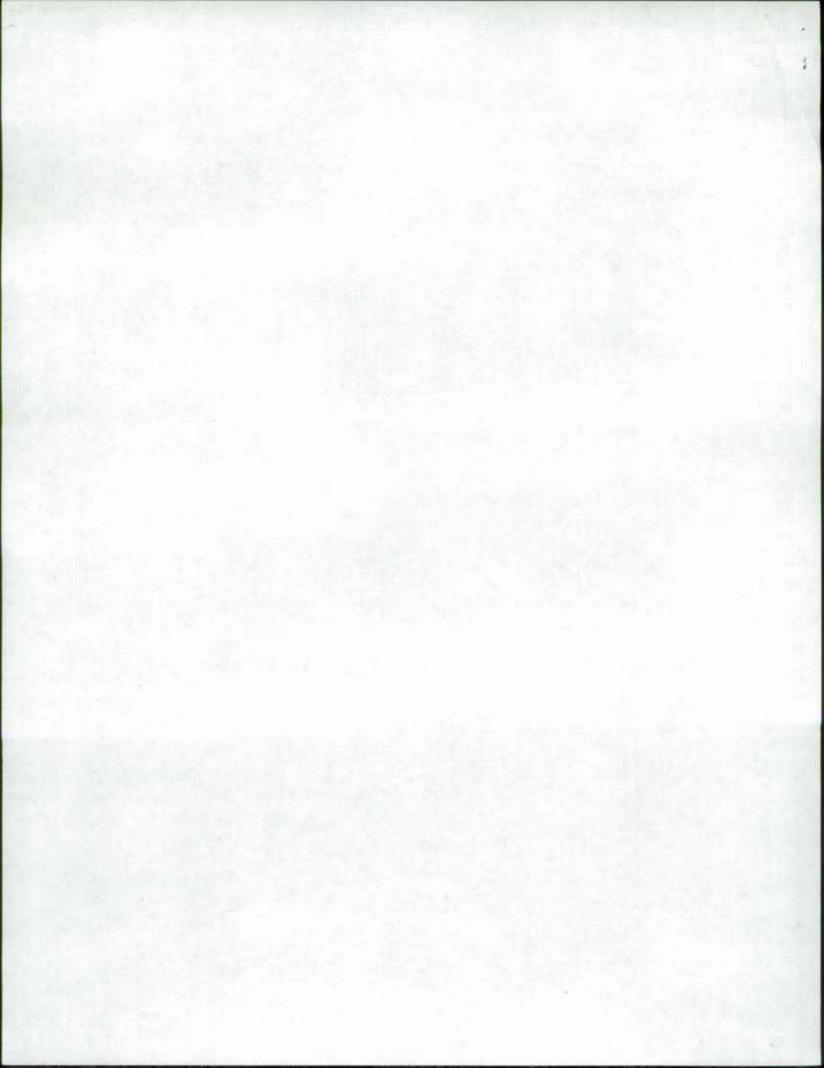
Sincerely,

Nick Kelly

Natural Resource Planner

cc:

TC 402-08



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/

July 25, 2008

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

Re: Ashland Farm Subdivision

M1106; TM 33 P 37

Dear Ms. Verdery:

Thank you for providing information on the above-referenced subdivision. The applicant is proposing to create a major four-lot subdivision. The parcel is 87.92 acres in size, with 83.33 acres located in the Critical Area and designated as Resource Conservation Area (RCA).

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

- 1. Provided there are no State-owned Tidal wetlands included in the RCA acreage of 83.33 acres, this parcel has four development rights.
- 2. The subdivision plat must contain information regarding existing and proposed lot coverage. Section 8, Ch. 119, 2008 Laws of Maryland at 765, contains provisions in regard to the lot coverage requirements of Natural Resources Article §8-1808.3 which may be applicable to this subdivision. Under these provisions, a development project whose initial application for development that satisfies all local requirements is filed by October 1, 2008 and whose development plan is approved (recorded) by July 1, 2010 may utilize Talbot County's approved impervious surface area limitations in effect prior to July 1, 2008 provided that:
 - a) The approved development plan remains valid in accordance with Talbot County's procedures and requirements; and
 - b) By July 1, 2010, the applicant prepares a detailed lot coverage plan drawn to scale and showing the amounts of impervious surface area, partially pervious area, and developed pervious surface area in the development project.

In addition to (a) and (b) above, Section 8, Ch. 119, 2008 Laws of Maryland at 765 requires the lot coverage plan to be approved by Talbot County and implemented in

- accordance with the approved lot coverage plan. Should the applicant intend to develop this subdivision in accordance with the County's impervious surface area limitations, please indicate that intent and ensure that the applicant is aware of the requirements of Chapter 119 of the 2008 Laws of Maryland for proceeding as such.
- 3. The applicant is currently providing a 100-foot Buffer on the site plan. 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.
- 4. The 100-foot Buffer must be expanded for both hydric and highly erodible soils located contiguous to the 100-foot Buffer. Mattapex soil is known to exist onsite.
- 5. The 100-foot and Expanded Buffer must be fully forested.
- 6. Please have the applicant remove the barn that is located within the 100-foot Buffer.
- 7. Talbot County soil maps reveal the presence of an intermittent stream between Lots 4 and 5, as well as another intermittent stream in the area where the nontidal pond is located. 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". Further, as of July 1, 2008 all the requirements of the Critical Area law shall apply, and be applied, by a local jurisdiction. Therefore, 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 possible methodology under the law for the identification of streams. Please have the applicant delineate these features on the site plan and provide a 100-foot Buffer around each stream. The stream Buffer may require expansion for adjacent hydric soils, highly erodible soils, or steep slopes. In addition, it appears that areas of tidal wetlands exist onsite. Please have the applicant provide the amount of wetland areas that is State-owned and privately owned. This number could affect the number of development rights allotted to the parcel.
- 8. Based upon comment #7, a wetland delineation must be performed onsite.
- 9. Please have the applicant provide the amount of forest coverage located onsite. The parcel must meet the 15% afforestation requirement within the Critical Area.
- 10. Mitigation for any future forest clearing onsite shall be provided at a 1:1 ratio, provided it is less than 20% clearing.
- 11. It appears that the applicant may be planning to expand the existing gravel drive into Ashland Drive, which is partially located within the 100-foot Buffer. An MDE permit for disturbance will be required in order to expand the roadway. We recommend minimizing disturbance to the Buffer for this proposed roadway as much as possible.
- 12. The site includes Ashland Drive as part of the Reservation of Development Rights (RDR) area of the parcel. Please have the applicant revise the site plan to show that the driveway is located outside of the RDR area.

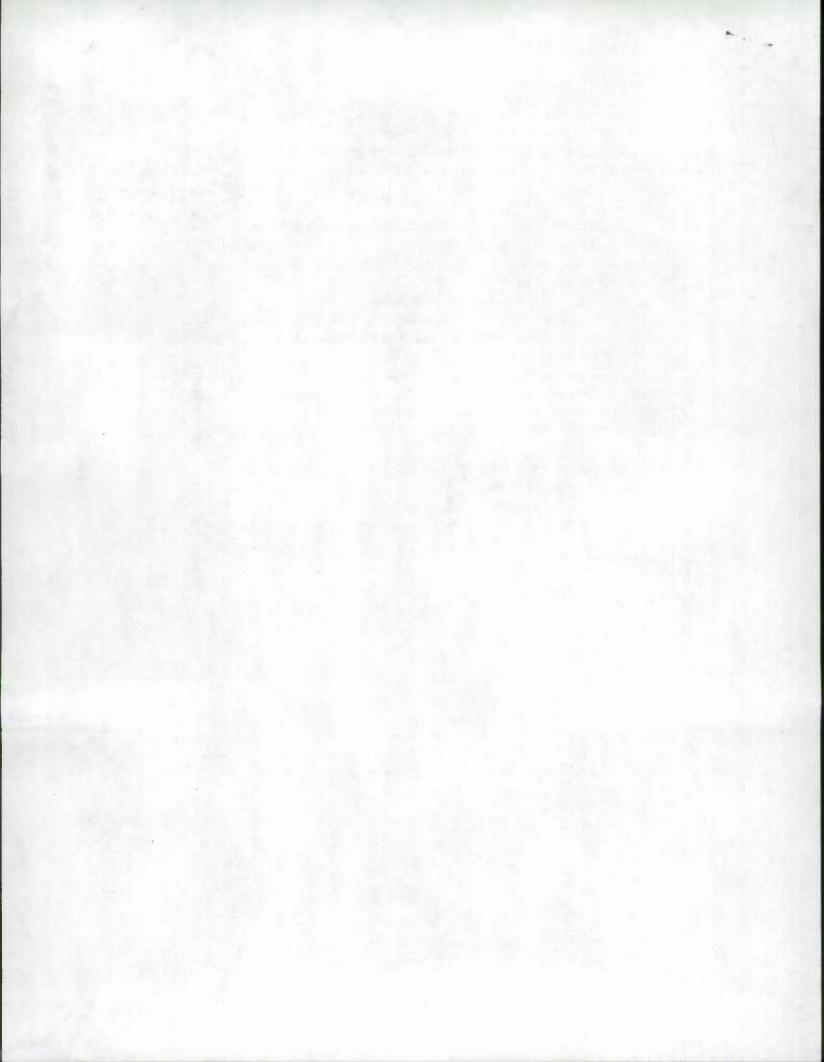
- 13. GIS layering reveals that the property is located within a sensitive species area. Please have the applicant receive a letter from the Department of Natural Resources Wildlife and Heritage Division (WHS) evaluating the property for any rare, threatened, or endangered species location onsite. In addition, coordination with the United States Fish and Wildlife Service (FWS) may be required. Please forward a copy of the applicant's communication with FWS to this office, once it is available.
- 14. The applicant states that the property is located in FIDS habitat. However, GIS layering does not confirm this statement. Please have the applicant clarify this issue. If the property is located within FIDS habitat, development restrictions will apply for any construction proposed in this area, and a FIDS Mitigation Analysis sheet must be submitted to this office for review and comment.
- 15. Due to the presences of a Sensitive Species and FIDS habitat onsite, a Habitat Protection Plan must be submitted to this office for review and comment, as required in §190-93 E(8)(d)of the Talbot County code.
- 16. The proposed project is located in a waterfowl concentration area. Therefore, time of year restrictions for shoreline work will apply between November 15 and March 1.
- 17. The Habitat Protection Plan, environmental site constraints, and all other environmental issues mentioned in this letter must be resolved prior to preliminary plat approval.

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

Sincerely,

Natural Resource Planner

cc: TC 402-08



Kelly, Nick

From: Kelly, Nick

Sent: Thursday, June 17, 2010 8:50 AM

To: 'Mary Kay Verdery'

Cc: Gallo, Kerrie

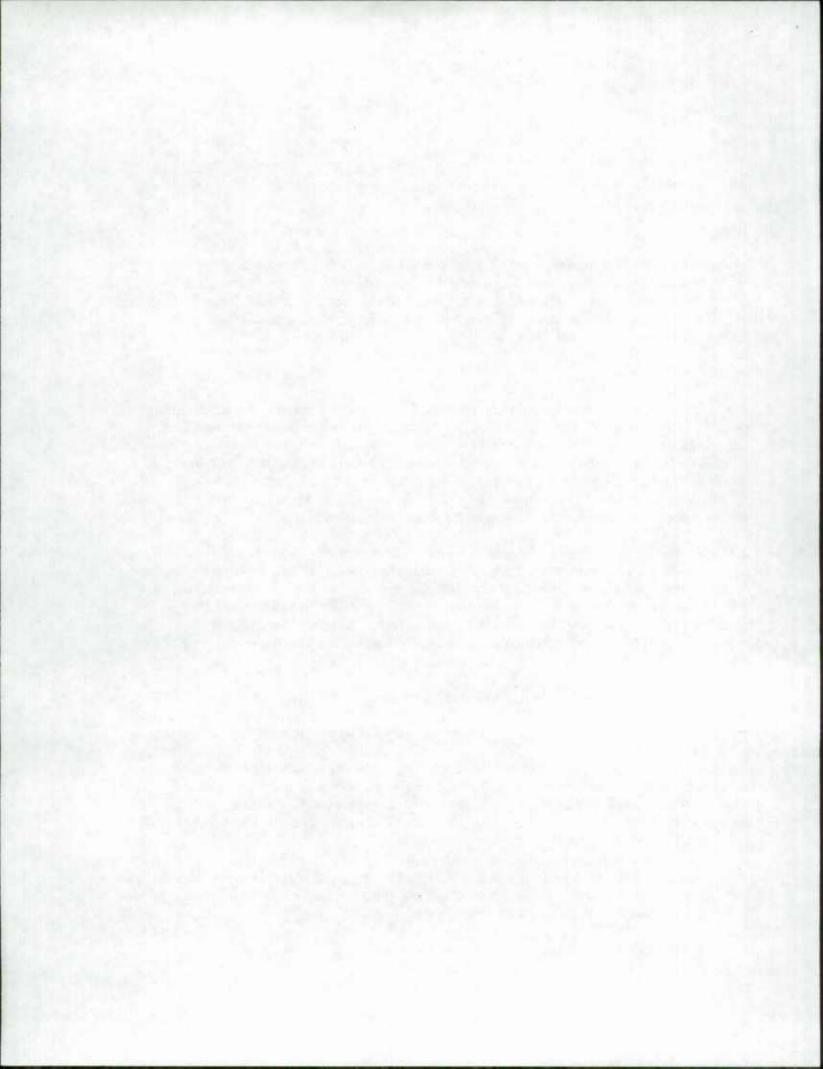
Subject: CRM Comments

Hi Mary Kay,

As promised, here's some very brief comments on the projects that went to CRM yesterday. Sorry I couldn't provide something more formal and have them ready by yesterday, but hopefully they will be of some help. In short, I reviewed the responses by each Engineer to my previous comment letters, to verify if my comments were properly addressed. Based on that review, I have some comments/concerns:

Maxmore Properties

- 1. The applicant did not address our concern about the line revision creating a nonconforming piece of RCA. Last week, I spoke briefly with Elizabeth Fink about this, and she mentioned that the Planning Commission was ok with this line revision, since the owner of Revised Tax Parcel 62 has been farming and will continue to farm this land. I asked Elizabeth to provide some background information on why the applicant would not remove the line revision for more verification. Regardless, I just wanted to let you know that this could be a problem for our office, as new pieces of nonconforming RCA should not be created via subdivision.
- 2. If I am reading the Engineer's comments correctly, it appears that the applicant will install the signage at the time of recordation, if necessary, but wishes to delay it until to the land converts, as it will interfere with the ag use right now. If this is a correct interpretation of her comment, then I think that the signage for the Buffer can be delayed until the time of land use change, as specified in the plan purpose. However, this is contingent on #3 below. Furthermore, the applicant should add a note to the plat stating when signage will be posted (upon change of land use).
- 3. The applicant states the land will remain in agriculture, but did not provide evidence of a Water Quality Plan on the plat or BMP. Can the applicant or County verify that a water quality plan is on file? We note that a water quality has to be on file in order to verify that a land is in ag use. As stated in COMAR 27.01.06.02., land that will remain in agriculture in the Critical Area requires a Water Quality plan. Specifically, this can be found in 27.01.06.02.G ("Assure that agricultural activity permitted within the Critical Area use best management practices in accordance with a soil conservation and water quality plan approved by the local soil conservation district."), as well as COMAR 27.01.06.03.A, which states the following:
 - 1) Local jurisdictions shall develop an agricultural protection plan as part of their Critical Area program if the land use exists in the jurisdiction. These plans are to be developed in cooperation with the soil conservation districts, the county agricultural land preservation advisory boards, and other appropriate agencies.
 - (2) Each agricultural plan shall consist of the following:
 - (a) An identification, inventory, and mapping of agricultural lands occurring



within the Critical Area;

- (b) An identification of agricultural lands which include habitat protection areas defined in COMAR 27.01.09;
 - (c) Programs for maintaining the agricultural land in agricultural use and for protecting water quality, and plant and wildlife habitat, which shall include at a minimum:
 - (i) The incorporation of the agricultural components of the State 208 water quality plan into local water quality plans if any exist,
 - (ii) Development of measures for encouraging the preservation of agricultural lands.
 - (iii) Provisions for the protection of habitat protection areas within agricultural lands as required in COMAR 27.01.09, and
 - (iv) Provisions requiring forest management plans for those farms which harvest timber to conform with the harvesting practices requirements in COMAR 27.01.05 and COMAR 27.01.09.
- (3) Within 5 years from the effective date of these criteria, all farms within the Critical Area shall have in place and be implementing a currently approved soil conservation and water quality plan approved by the local soil conservation district. Landowners who have signed up as conservation district cooperators, but who do not have a conservation plan developed for them by the district, shall be allowed to continue farming until a conservation plan is developed, provided that the goals of the Act and policies and all other requirements of this chapter are being met.

The full citation can be found here:

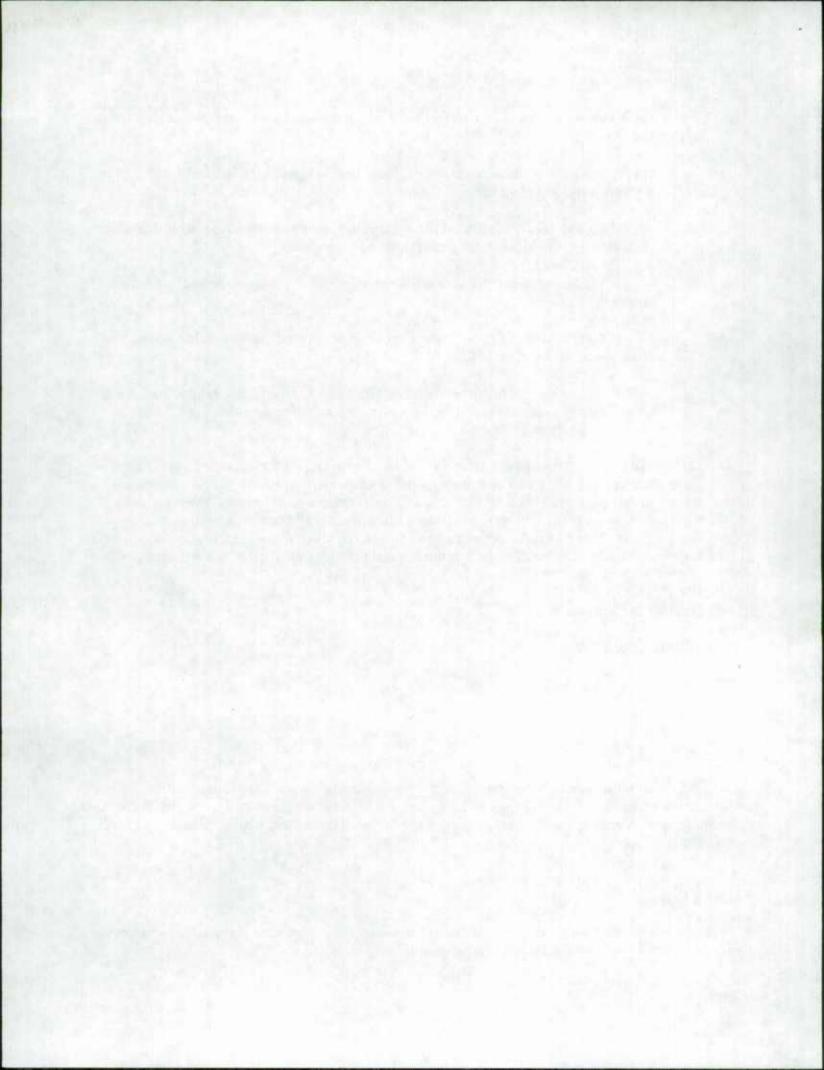
http://www.dsd.state.md.us/comar/comarhtml/27/27.01.06.02.htm

http://www.dsd.state.md.us/comar/comarhtml/27/27.01.06.03.htm

The COMAR sections cited have been in our regulations since they were first created in 1986. In addition, at our meeting with the County and engineers on May 26, we mentioned to the engineers about this requirement. A lack of a water quality plan on file for subdivisions that plan to remain in ag could be problematic for our office.

Ashland Farm

- 1. I never saw a Buffer Plan for this, and, if I'm not mistaken, the variance for the road wasn't approved until a few weeks ago. That leads me to two questions:
 - a. Did the County decide whether this plat could be recorded, even if there was a 30-day



period in which the variance could be appealed?
b. Did this applicant ever submit a Buffer Mngmt Plan? I don't think I've reviewed a BMP from Chris Waters, and it was requested in my 5/6/2010 letter. Please note that the plat can't be approved unless the BMP is approved.

Shortall Farm

- 1. Bill mentions that the farm has a WQP, but then goes on to discuss that even if it does not, the absence of a WQP does not eliminate a property owner's rights to continue maintaining the land in ag use and therefore delaying establishment of the Buffer. Please see comment #3 for Maxmore, as I believe it responds to Bill's question. The applicant must provide verification to the County that it does have a Water Quality Plan, and it should be noted on the plat and/or BMP.
- 2. In response to comment #10 under "Critical Area Commission" (Bill's June 9th letter to Sandy Coyman), a planting date is required for when establishment will occur, similar to what was provided on the Maxmore and Ashland Farm BMPs.

Yorktown Farm

1. No further comments on this one, as I don't recall seeing the BMP on this one since the enactment of the Buffer regs.

Benson Subdivision

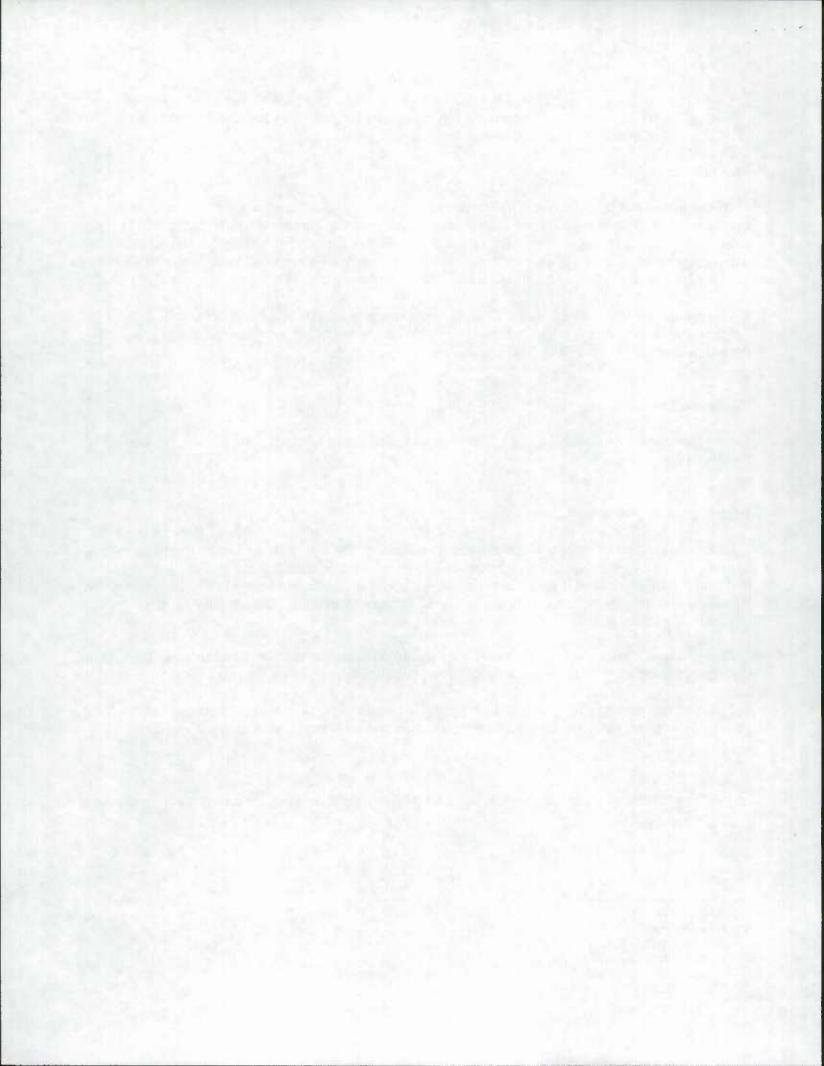
- 1. In response to Stark's letter regarding Buffer establishment and not being able to perform this until Spring 2011: We understand Stark's concern. However, the regs do state that the Buffer must established in the next planting season. If the County permits the applicant to plant in Spring 2011, then we note that a final use and occupancy permit may not be issued for the lots until the Buffer is planted, as per COMAR 27.01.09.01-2(L).
- 2. As mentioned earlier, the Buffer signs may be placed on the site at the time of a change in land use, in order to not interfere with ag production. However, this should be noted on the plat or BMP.
- 4. The applicant once again states that the project will remain in Ag use. Similar to the comments on the above subdivisions, can you please provide verification on how it was determined that it will remain in ag?

I hope this provides some guidance. Please call me with any questions, as I am sure you have many.

Thanks Nick

Nick Kelly, Ph.D Natural Resource Planner Critical Area Commission Chesapeake and Atlantic Coastal Bays

1804 West Street, Suite 100



SURVEYOR STATEMENT:

JEANNE R. SHANNAHAN

NOTARY

I, CHRISTOPHER D. WATERS HEREBY CERTIFY THAT THE FINAL PLAT SHOWN HEREON IS CORRECT, THAT IT IS A SUBDIVISION OF THE LANDS CONVEYED BY ROBERT G. SHANNAHAN, WILLIAM E. SHANNAHAN III AND JEANNE SHANNAHAN TO WILLIAM E. SHANNAHAN III, JEANNE R. SHANNAHAN, KATE M. SHANNAHAN (MINOR) AND WILLIAM GAINES SHANNAHAN (MINOR) BY DEED DATED JANUARY 3, 2000 AND RECORDED AMONG THE LAND RECORDS OF TALBOT COUNTY, MARYLAND IN LIBER 953 FOLIOS 197 AND THAT ALL MONUMENTS ARE IN PLACE.

THE OWNERS HAVE SWORN TO AND SUBSCRIBED BEFORE ME THIS ______ DAY OF _____ 20__

REGISTERED PROFESSIONAL LAND SURVEYOR No. 11052 295IO SKIPTON-CORDOVA ROAD CORDOVA, MARYLAND 21625

TALBOT COUNTY HEALTH DEPARTMENT

LOTS 2, 3, 4 AND 5 AS SHOWN HEREON ARE APPROVED FOR INDIVIDUAL WATER AND SEWERAGE SYSTEMS AND THEIR USE IS IN ACCORDANCE WITH THE TALBOT COUNTY COMPREHENSIVE WATER AND SEWER PLAN AND MARYLAND DEPARTMENT OF ENVIRONMENT REGULATION 26.04.03. THE HEALTH DEPARTMENT APPROVAL ON THE PLAT CERTIFIES THAT THE LOTS SHOWN HEREON ARE IN COMPLIANCE WITH THE PERTINENT HEALTH DEPARTMENT LAWS AND REGULATIONS AS OF THE APPROVAL DATE. THIS APPROVAL DOES NOT SERVE AS A SEWAGE DISPOSAL INSTALLATION PERMIT AND THE PROPERTY OWNER IS NOTIFIED THAT HE MUST STILL APPLY FOR AND OBTAIN A SEWAGE DISPOSAL PERMIT BEFORE DEVELOPING THE PROPERTY. AT THE TIME OF THE PERMIT APPLICATION, THE PROPERTY WILL BE EVALUATED PURSUANT TO COMAR 26.04.02 AND ALL OTHER APPLICABLE LAWS AND REGULATIONS. FURTHERMORE, THE TALBOT COUNTY HEALTH DEPARTMENT MAY REQUIRE MORE DETERMINATIVE INFORMATION ABOUT THE PROPERTY INCLUDING ADDITIONAL TESTING AND EVALUATION.

REMAINING LANDS OF REVISED TAX PARCEL 37 AS SHOWN HERE ON IS NOT LEGALLY ESTABLISHED UNDER COMAR 26.04.03 AND MAY NOT BE CONSIDERED FOR DEVELOPMENT UNTIL SUCH TIME AS EITHER THE PARCEL CAN BE SERVED BY A COMMUNITY SEWAGE DISPOSAL SYSTEM OR EVALUATION OF THE PARCEL DEMONSTRATES THAT THE PARCEL MEETS THE PROVISIONS SET FORTH IN THE CODE OF MARYLAND REGULATIONS FOR SUBDIVISION OF LAND, IN PLACE AT THE TIME THE PROPOSAL IS SUBMITTED. FURTHERMORE, DEVELOPMENT MUST BE CONSISTENT WITH APPLICABLE STATE AND COUNTY CODES, REGULATIONS AND LAWS, AND THE PARCEL MAY NOT BE SERVED BY NON-CONVENTIONAL MEANS OF ON-SITE SEWAGE DISPOSAL.

THE 61.69 ACRES OF RESERVED LAND SHOWN ON THIS PLAT IS PERMANENTLY PROTECTED OPEN SPACE AND MAY NOT BE DEVELOPED FOR RESIDENTIAL. COMMERCIAL OR INDUSTRIAL DEVELOPMENT AS PER THE TALBOT COUNTY CODE CHAPTER 190, ARTICLE X. SECTION 190-198, THE CEATION OF THIS 61.69 ACRE AREA SHALL THEREFORE NOT BE CONSIDERED AS AN APPROVED BUILDING LOT FOR DEVELOPMENT PURPOSES.

TALBOT COUNTY HEALTH OFFICER

TALBOT COUNTY PLANNING & ZONING

THE PURPOSE OF THIS PLAT IS TO SUBDIVIDE THE LANDS OF WILLIAM E. SHANNAHAN III AND JEANNE R. SHANNAHAN PREVIOUSLY RECORDED IN THE LAND RECORDS OF TALBOT COUNTY AT LIBER 953 FOLIOS 197.

TALBOT COUNTY PLANNING COMMISSION, PLANNING OFFICER AUTHORIZED AGENT

ROAD/DRIVEWAY NOTE:

THE ROAD, DESIGNATED AS ASHLAND DRIVE, SHALL BE PRIVATELY OWNED AND AS SUCH, THE COUNTY HAS NO RESPONSIBILITY FOR ITS MAINTENANCE OR SAFETY. THE ROAD SHALL BE OWNED BY TAX PARCEL 37 AND MAINTAINED ACCORDING TO THE ASHLAND ROAD MAINTENANCE AGREEMENT RECORDED WITH THIS SUBDIVISION AMONG THE LAND RECORDS OF TALBOT COUNTY, MARYLAND IN LIBER ____

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

TALBOT COUNTY ENGINEER

STORM WATER MANAGEMENT:

THESE LOTS SHALL BE DEVELOPED IN ACCORDANCE WITH THE "2000 MARYLAND" STORM WATER DESIGN MANUAL", ENVIRONMENTALLY SENSITIVE DEVELOPMENT CRITERIA (CHAPTER 5 - STORM WATER CREDITS FOR INNOVATIVE SITE PLANNING). DEVIATION FROM THESE CRITERIA SHALL REQUIRE APPROVAL FROM THE TALBOT COUNTY DEPARTMENT OF PUBLIC WORKS PRIOR TO ANY DEVELOPMENT ACTIVITIES. ALL DITCHING WILL HAVE A FOUR FOOT WIDE FLAT BOTTOM WITH A MINIMIUM OF THREE TO ONE FOOT SIDE SLOPES

AREA CALCULATIONS

TOTAL AREA - 86.48' ACRES±

TOTAL AREA IN CRITICAL AREA - 81.89 ACRES±

TOTAL AREA OUTSIDE CRITICAL AREA - 4.59 ACRES± TOTAL AREA TO BE DIVIDED LOTS 2, 3, 4, \$ 5 - 16.62 ACRES+

AREA TO BE DIVIDED IN CRITICAL AREA LOTS 2, 3, 4, \$ 5 - 16.62 ACRES±

AREA TO BE DIVIDED OUTSIDE CRITICAL AREA - O ACRES±

TOTAL AREA IN REVISED TAX PARCEL 31, REMAINING LANDS - 69.86 ACRES+ AREA OF REMAINING LAND IN CRITICAL AREA - 65.27 ACRES±

AREA OF REMAINING LAND OUTSIDE CRITICAL AREA - 4.59 ACRES±

TOTAL AREA OF EXISTING FOREST COVER IN CRITICAL AREA ON REMAINING LANDS - 4.3I ACRES±

TOTAL REQUIRED AREA OF FOREST COVER IN CRITICAL AREA - 12.28 ACRES+ AREA OF PRIVATE ROAD EASEMENT IN CRITICAL AREA - 3.58 ACRES±

AREA OF PRIVATE ROAD EASEMENT OUTSIDE CRITICAL AREA - 0.31 ACRES±

TOTAL AREA OF RESERVED LAND - 61.69 ACRES± AREA OF STATE OWNED TIDAL WETLANDS – 0.42 ACRES± (AREA NOT INCLUDED IN ANY DEVELOPMENT CALCULATIONS)

I. OWNER: WILLIAM E. SHANNAHAN III

3. MINIMUM LOT SIZE: 2 ACRES

410-476-3620

27350 CHLORAS POINT ROAD

2. ZONING CLASSIFICATION: RC (RURAL CONSERVATION)

FRONT- 50 FEET

REAR- 50 FEET

SIDE- 50 FEET

MEAN HIGH WATER- 100 FEET

TIDAL WETLANDS- 100 FEET

NON TIDAL WETLANDS- 25 FEET

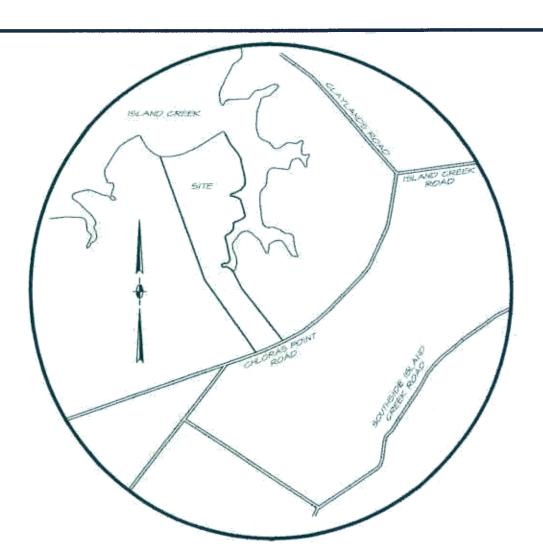
S.D.A.- 20 FEET

INTERMITTENT STREAM (RC ZONED)- 100 FEET

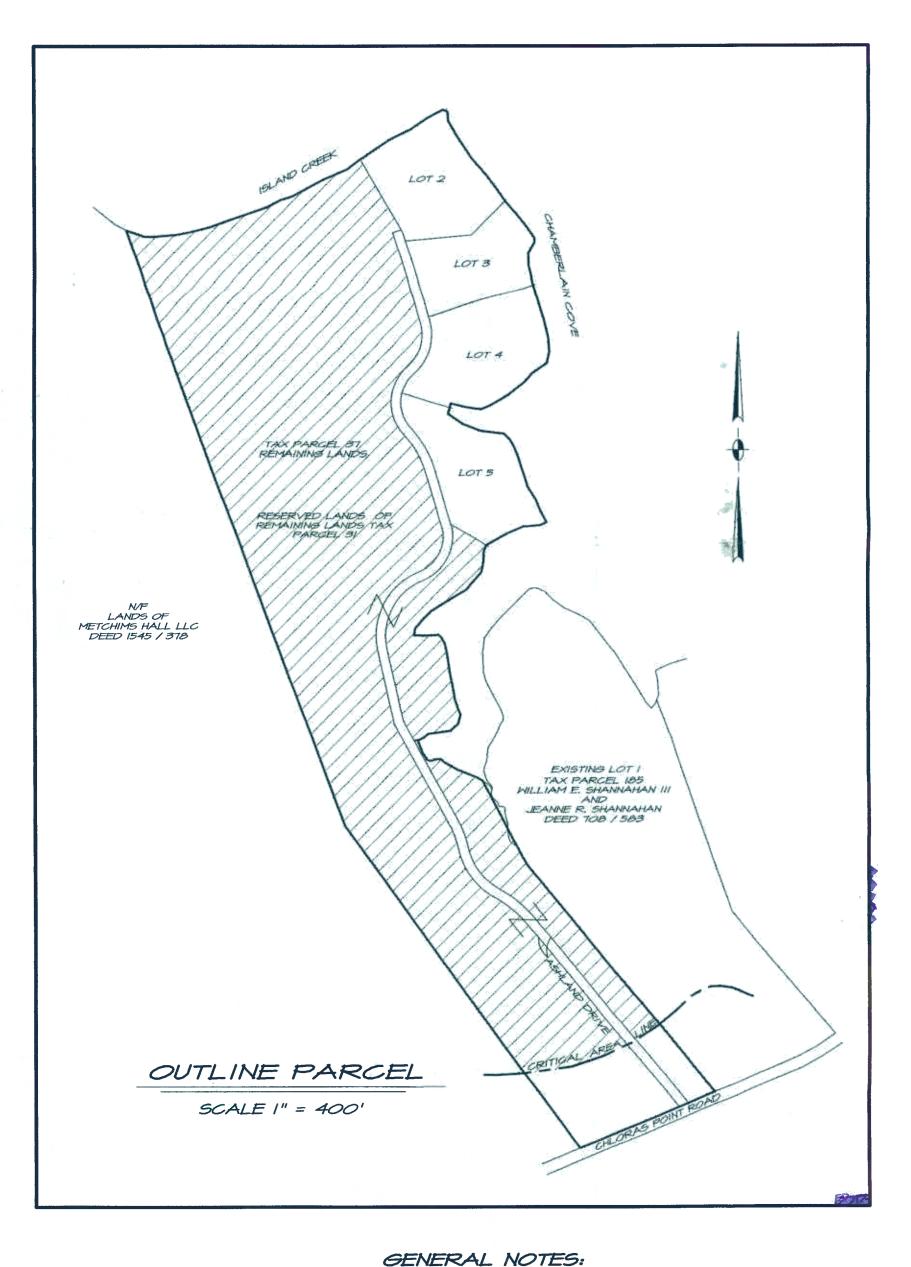
INTERMITTENT STREAM (WRC ZONED)- 50 FEET

4. BUILDING RESTRICTIONS: 2 ACRE OR MORE

TRAPPE, MARYLAND 21673



YICINITY MAP SCALE I" = 2000'



5. ZONING CLASSIFICATION:

BUILDING RESTRICTIONS:

MINIMUM LOT SIZE:

WRC (WESTERN RURAL

AREA OF RESERVED LANDS OF

DENOTES PERPETUAL EASEMENT TO DISCHARGE

FLOW OF WATER UPON EXISTING GROUND.

REMAINING LANDS TAX PARCEL 31

CONSERVATION

ONE ACRE

BACK- 50 FEET SIDE- 50 FEET

DEED BOOK

8. DENOTES PROPERTY CORNER TO BE SET

DENOTES EXISTING PROPERTY LINE

DENOTES NEW LINES OF DIVISION

DRAINAGE AND UTILITY EASEMENT:

A UTILITY AND DRAINAGE RIGHT-OF-WAY AND EASEMENT SHALL BE PROVIDED IN AND OVER STRIPS OF LAND FIFTEEN (15) FEET IN WIDTH ALONG THOSE BOUNDARY LINES CONTIGUOUS TO ANY ROAD AND FIFTEEN (15) FEET IN WIDTH (1.5' ON EITHER SIDE) CENTERED ON ALL NEW LINES OF DIVISION, EXCEPT AS SHOWN HEREON.

NONTIDAL WETLANDS DISCLAIMER:

THIS DEVELOPMENT MAY CONTAIN JURISDICTIONAL NONTIDAL WETLANDS WHICH HAVE NOT BEEN OFFICIALLY DELINEATED BY THE U.S. ARMY CORPS OF ENGINEERS. THE IDENTIFICATION AND/OR DELINEATION OF JURISDICTIONAL WETLANDS. AS THE APPLICANT OF THIS DEVELOPMENT PROJECT, WE UNDERSTAND THAT THE FINAL AUTHORITY FOR ALL NONTIDAL WETLAND DELINEATIONS AND REGULATIONS FOR LANDS IN THE CRITICAL AREA RESTS WITH THE U.S. ARMY CORPS OF ENGINEERS. WE ALSO UNDERSTAND THAT COUNTY APPROVAL OF THIS DEVELOPMENT PROJECT DOES NOT EXEMPT THIS PROJECT FROM OBTAINING PERMITS AND APPROVAL WHICH MAY BE REQUIRED BY THE U.S. ARMY CORPS OF ENGINEERS.

U.S. FISH AND WILDLIFE REVIEW:

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

CLEARING AND NRCS STATEMENT:

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

CRITICAL AREA STATEMENT:

THE LAND SHOWN HEREON LIES PARTIALLY WITHIN THE CHESAPEAKE BAY CRITICAL AREA.

AGRICULTURAL STATEMENT

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

FLOOD ZONE INFORMATION:

THE LAND SHOWN HEREON IS IN ZONE A4 & C. LOCATED WITHIN THE COASTAL FLOOD PLAIN AS SHOWN ON THE FEDERAL INSURANCE RATE MAPS FOR TALBOT COUNTY, MARYLAND THEREFORE, MANDATORY FLOOD INSURANCE IS REQUIRED IN ACCORDANCE WITH THE PROVISIONS OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, WASHINGTON, D.C. SEE FEMA MAP No. 240066 0045A.

FLOOD PLAIN LEGEND

A - 100 YEAR FLOOD ZONE B - 500 YEAR FLOOD ZONE

C - AREA OF MINIMAL FLOODING

THE FLOOD ZONE "A" PORTION OF THE PROPERTY WOULD BE INUNDATED BY A FLOOD HAVING A ONE-PERCENT CHANCE OF OCCURRENCE IN ANY GIVEN YEAR. THEREFORE ANY NEW CONSTRUCTION OR SUBSTANTIAL IMPROVEMENT ON THE PROPERTY IS SUBJECT TO FEDERAL, STATE, AND LOCAL

SHORELINE DEVELOPMENT BUFFER STATEMENT

UPON CHANGE OF LAND USE, THE SHORELINE DEVELOPMENT BUFFER ON LOTS 2, 3, 4 \$ 5 SHALL BE ESTABLISHED IN THREE TIER NATURAL VEGETATION AS SHOWN ON FOREST PRESERVATION PLANBUFFER , BY THE TALBOT COUNTY OFFICE OF MANAGEMENT PLAN # APPROVED ON PLANNING AND ZONING.

WATERFOWL STAGING AREA NOTE

THIS AREA IS KNOWN AS A WATERFOWL STAGING AREA AND AS SUCH, PROPOSED CONSTRUCTION OF PIERS ARE SUBJECT TO REVIEW BY THE TALBOT COUNTY OFFICE OF PLANNING AND ZONING, THE ARMY CORPS OF ENGINEER, MARYLAND DEPARTMENT OF THE ENVIRONMENT AND THE CHESAPEAKE BAY CRITICAL AREA COMMISSION. PLEASE CONTACT THE TALBOT COUNTY OFFICE OF PLANNING AND ZONING (410) TTO-8030 FOR FURTHER INFORMATION, ANY SHORELINE WORK WILL BE RESTRICRED BETWEEN NOVEMBER 15 & MARCH I.

CLEARING WITHIN BUFFER STATEMENT:

REMOVAL OF NATURAL VEGETATION WITHIN THE 100 FOOT SHORELINE DEVELOPMENT BUFFER IS PROHIBITED. CUTTING/OR MONLING OF NATURAL VEGETATION WITHIN THE BUFFER IS SUBJECT TO REVIEW BY THE PLANNING AND ZONING OFFICE. PLEASE CONNECT THE TALBOT COUNTY OFFICE OF PLANNING AND ZONING AT (410) TTO-8030 FOR FURTHER INFORMATION.

TREE CUTTING & CLEARING NOTE

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

FIDS STATEMENT:

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

DRAINAGE AND UTILITY EASEMENT:

A UTILITY AND DRAINAGE RIGHT-OF-WAY AND EASEMENT SHALL BE PROVIDED IN AND OVER STRIPS OF LAND FIFTEEN (15) FEET IN WIDTH ALONG THOSE BOUNDARY LINES CONTIGUOUS TO ANY ROAD AND FIFTEEN (15) FEET IN WIDTH (1.5 FEET ON EITHER SIDE) CENTERED ON ALL NEW LINES OF DIVISION AND TEN (IO) FEET IN WIDTH ALONG EXISTING BOUNDARY LINES (ENTIRELY ON THE SUBJECT PARCEL) NOT CONTIGUOUS TO ANY ROAD EXCEPT AS SHOWN HEREON.

DEVELOPMENT RIGHTS SUMMARY

PERMITTED - (4) CRITICAL AREA "RC" PERMITTED - (2) NON CRITICAL AREA "WRC"

UTILIZED - (4) CRITICAL AREA (LOT 2, 3, 4 \$ 5) "RC"

REMAINING - (2) NON CRITICAL AREA "WRC"

DEVELOPMENT RIGHTS SHOWN HEREON ARE BASED UPON CURRENT REGULATIONS AND MAY BE SUBJECT TO CHANGE BASED ON ZONING ORDINANCE REGULATIONS IN EFFECT AT THE TIME OF DEVELOPMENT ACTIVITY

LOT COVERAGE CALCULATIONS-LOT 2

15% LOT COVERAGE ALLOTMENT (4.43 AC TOTAL) = 28,924.6 SQ.FT. EXISTING LOT COVERAGE AREA - 545.3 SQ.FT. (BOAT RAMP) ALLOWABLE LOT COVERAGE AREA - 28,379.3 SQ.FT.

LOT COVERAGE CALCULATIONS-LOT 3

15% LOT COVERAGE ALLOTMENT (3.29 AC TOTAL) = 21,519.4 SQ.FT. EXISTING LOT COVERAGE - O SQ.FT. ALLOWABLE LOT COVERAGE - 21,519.4 SQ.FT.

LOT COVERAGE CALCULATIONS-LOT 4

EXISTING LOT COVERAGE - O SQ.FT. ALLOWABLE LOT COVERAGE - 29,595.3 SQ.FT.

LOT COVERAGE CALCULATIONS-LOT 5

15% LOT COVERAGE ALLOTMENT (4.37 AC TOTAL) = 28,561.3 SQ.FT. EXISTING LOT COVERAGE - O SQ.FT. ALLOWABLE LOT COVERAGE - 28,561.3 SQ.FT.

LOT COYERAGE CALCULATIONS-WRC AREA

15% LOT COVERAGE ALLOTMENT (4.59 AC TOTAL) = 29,974.6 SQ.FT.

EXISTING LOT COVERAGE - O SQ.FT.

ALLOWABLE LOT COVERAGE - 29,974.6 SQ.FT.

16. ▲ DENOTES FOREST SIGN 17. • DENOTES UNMARKED DEED POINT (UNLESS LABEL FOUND)

DEED BOOK

AREA OF NON-TIDAL WETLANDS

AREA OF TIDAL WETLANDS

AFFORESTATION AREA (12.33 ACRES)

EXPANDED 100' BUFFER AREA (HYDRIC SOIL)

15% LOT COVERAGE ALLOTMENT (4.53 AC TOTAL) = 29,595.3 SQ.FT.

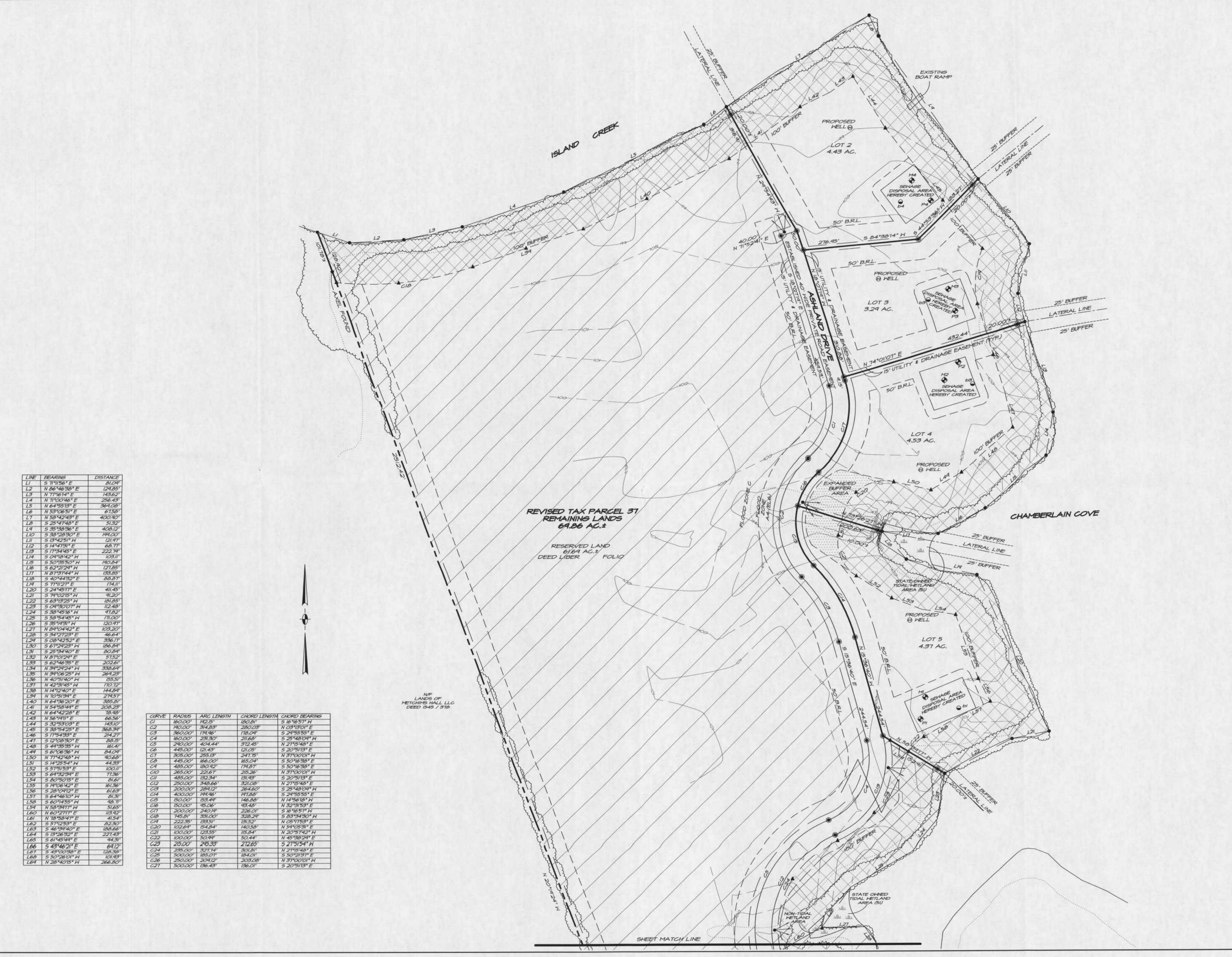
08086

DRAWN DESIGNED CHECKE BOH DATE

JUNE 11, 2008 SCALE 1" = 100'

JOB NO. SHEET NO.

1 OF 3



BOH

JUNE 11, 2008

SCALE |" = 100'

JOB NO.

OBOBE

SHEET NO.

2 OF 3

CDW

