

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 24, 2010

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

Re: **Nourse Buffer Management Plan
M1086 (TM 41, P 6)**

Dear Ms. Verdery:

Thank you for providing the Buffer Management Plan (BMP) on the above referenced subdivision. The applicant is proposing to build a three-lot subdivision that is partially located in a Rural Conservation Area (RCA). The parcel is 113.369 acres in size, with 64.432 acres located in the RCA.

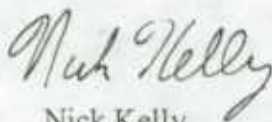
Based on the information provided, we have the following comments on this BMP:

1. COMAR 27.01.09.01 requires Buffer establishment on a new lot with an existing dwelling unit based on the amount of total lot coverage. Therefore, Lot 1 will require 0.954 acres of Buffer establishment in addition to the full establishment of the Buffer on Lots 2 and 3.
2. The applicant previously received a variance to widen an existing driveway and replace a culvert pipe within a 100-foot stream Buffer. As a result, mitigation at a 3:1 ratio is required. The applicant is proposing to use this mitigation to meet establishment requirements. We note that an applicant is not permitted to use mitigation to meet establishment requirements. Therefore, an additional .038 acres of Buffer establishment is required.
3. Prior to recordation of the subdivision plat, the applicant must meet COMAR 27.01.09.01-2.M, which details signage requirements.
4. Since the applicant is proposing natural regeneration on the property, the following information is required from the applicant:

- a. A supplemental planting plan for subsequent implementation if the natural regeneration does not succeed.
 - b. A financial assurance for the natural regeneration that covers the cost of planting an equivalent area, and specifies that the release of the financial assurance may not occur until the later of 5 years after the date of the approval or the areal coverage of the Buffer is at least 300 native woody stems, on a per-acre basis, that are at least 4 feet in height.
 - c. A statement that, should at the end of 5 years after approval of a natural regeneration plan, that the applicant shall implement a supplemental planting plan for at least 2 years if the areal coverage of the Buffer is not, on a per-acre basis, at least 300 native woody stems of at least 4 feet in height.
5. Due to the amount of Buffer establishment required (greater than 5,000 square feet), the applicant is subject to the requirements of a Major Buffer Management Plan (COMAR 27.01.09.01-3.J). Accordingly, the applicant must include the following information in the BMP:
- a. A maintenance plan for the control of invasive species, pest and predation that pest control practices that includes a 2-year provision for monitoring;
 - b. A reinforcement planting provision if survival rates fall below the standards in Regulation .01-2J and K of COMAR 27.01.09.01;
 - c. A long-term protection plan that provides a financial assurance that adequately covers the cost of planting and survivability, including a 2-year provision for monitoring;
 - d. An anticipated planting date before construction or sale of each lot, or in the case of existing Lot 1, the date of the next planting season;
 - e. An inspection agreement that grants permission to the County to inspect the plantings at appropriate times;
 - f. The signature of the party responsible for the proposed activity and for the survival of the planting.

Thank you for the opportunity to provide comments on this Buffer Management Plan. Please provide a revised copy of this plan to our office at your earliest convenience. We note that final subdivision approval may not be granted until this Buffer Management Plan is approved. If you have any questions, please contact me at (410) 260-3483.

Sincerely,



Nick Kelly
Natural Resource Planner
cc: TC 652-08

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May 6, 2010

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

Re: **Nourse Subdivision**
M1086 (TM 41, P 6)

Dear Ms. Verdery:

Thank you for providing information on the above referenced subdivision. The applicant is proposing to build a three-lot subdivision that is partially located in a Rural Conservation Area (RCA). The parcel is 113.369 acres in size, with 64.432 acres located in the RCA.

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

1. 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. This is of particular concern, as the development envelopes on Lot 2 and 3 may be compromised as a result of the increase in size of the Buffer.
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 without an approved Buffer Management Plan

3. COMAR 27.01.09.01 requires Buffer establishment on a new lot with an existing dwelling unit based on the amount of total lot coverage. Therefore, Lot 1 will require 0.954 acres of Buffer establishment in addition to the full establishment of the Buffer on Lots 2 and 3.
4. It is our understanding that the applicant has requested a biological evaluation from the U.S. Fish and Wildlife Service (USFWS) to determine if Delmarva Fox Squirrel (DFS) habitat exists on the property. Please forward a copy of the response from USFWS as soon as you receive this info. Final plat approval should not be given until any issues surrounding DFS habitat are resolved.
5. Please provide on the plat the source of the wetlands delineation and stream delineation for the property.
6. The applicant must remove the following sentence from the "Shoreline Development Buffer Management Statement": *Upon change of land use.*

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 652-08

Martin O'Malley
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February 24, 2010

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

Re: **Nourse Subdivision**
M1086 (TM 41, P 6)

Dear Ms. Verdery:

Thank you for providing information on the above referenced subdivision. The applicant is proposing to build a three-lot subdivision that is partially located in a Rural Conservation Area (RCA). The parcel is 113.369 acres in size, with 64.432 acres located in the RCA.

First, 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

TTY for the Deaf

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

However, until such measures are approved, the County must utilize the requirements found in the State regulations, and the submitted Buffer Management Plan (here titled by the applicant as the "Critical Area Afforestation Plan") must be revised. 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.

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

1. 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. This is of particular concern, as the applicant is proposing a well within the 200-foot Buffer area on Lot 3.
2. Please have the applicant revise all references of "impervious surface" on the site plan to "lot coverage."
3. Due to the location of a Delmarva Power and Light Co. Power Line right-of-way, an area of 6.008 acres has been deducted from the total site area when calculating 15% afforestation requirements. However, this right-of-way area was not deducted when the applicant determined the amount of impervious surface (lot coverage) permitted for the entire parcel. The County must make a determination as whether this right-of-way area will be included as part of the parcel. If so, then afforestation must be provided for the entire parcel, including the 6.008 acres of right-of-way. However, if the County determines that this area will not be included as part of the parcel, then the lot coverage calculations must be calculated on the same amount of net acreage (58.424 acres).
4. As stated earlier, the submitted Critical Area Afforestation plan must be revised to be in compliance with the Commission's Buffer regulations, as found in COMAR 27.01.09.01- COMAR 27.01.09.01-7.
5. The most recent DNR Wildlife and Heritage letter is dated November 9, 2007. The applicant must provide an updated letter from the Department of Natural Resources' (DNR) Wildlife and Heritage Division evaluating the property to determine if there is the presence of any rare, threatened, or endangered species. If present, the applicant must address all recommendations from DNR for protection of this species. Please forward to this office a copy of this updated letter.

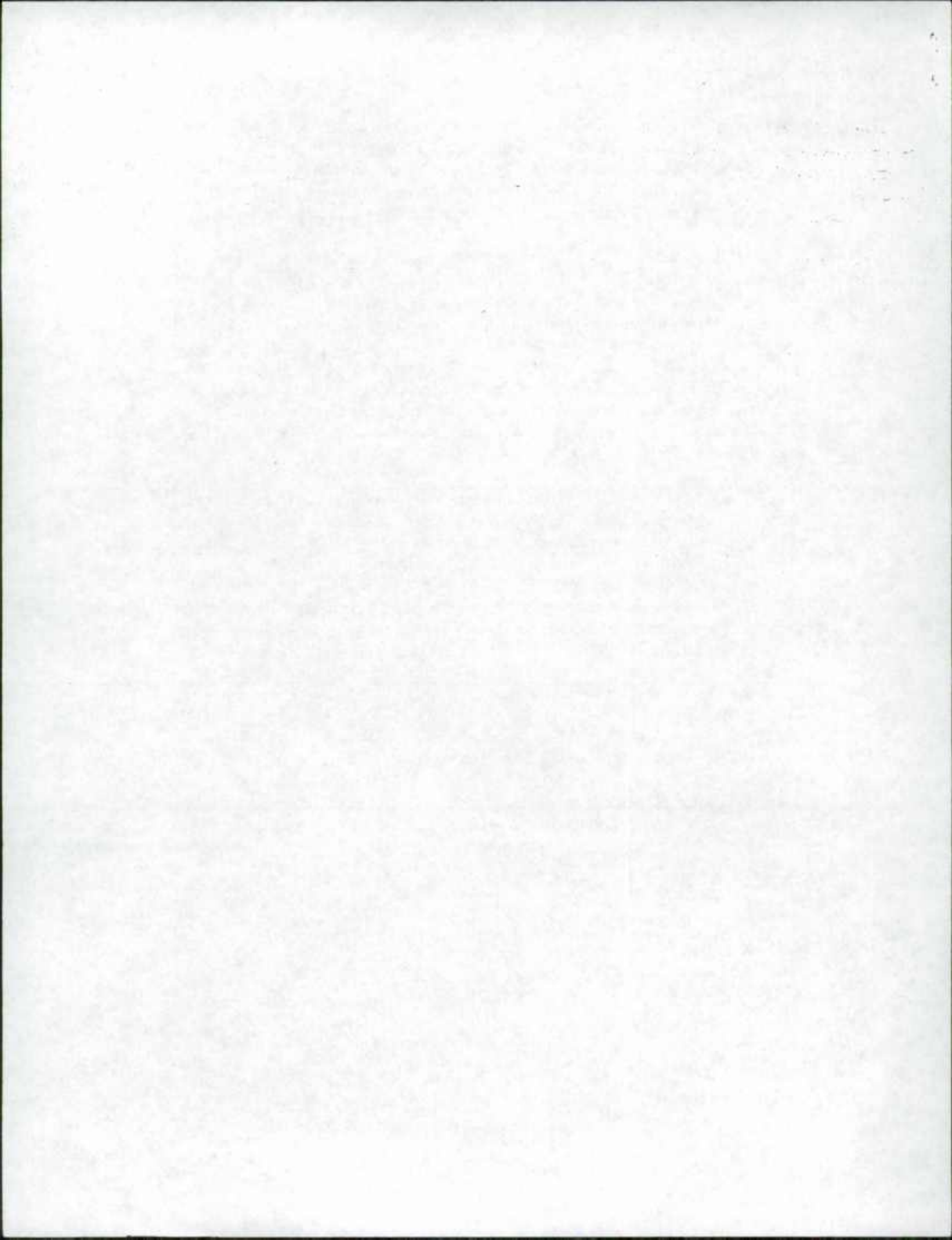
6. The 2007 DNR Wildlife and Heritage letter, as well as the submitted environmental assessment, state that the project is located in Delmarva Fox Squirrel (DFS) habitat. However, the applicant has provided no information as to how this sensitive area will be protected. Please have the applicant provide information as the measures that will be taken to protect the DFS habitat.
7. The applicant states that all tidal wetlands were delineated in the field by Environmental Concern, Inc. in February 2007. However, the site plan states that both tidal and nontidal wetland locations were taken from wetland maps. Please provide verification that this delineation was performed in the field, and please note this on the plat. If a wetland delineation has not yet been performed, we recommend that it be completed prior to final approval of this plan and that the applicant provide the amount of field determined State-owned wetlands, if any, that are located onsite. This is of significant importance, as the amount of State-owned wetlands may impact the amount of acreage available for parcel development in the RCA.
8. The site plan states that all streams onsite were taken from 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". 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 methodology provided under the law for the identification of streams. Please have the applicant field delineate all streams onsite.
9. Please clarify whether this is a preliminary plat or a final plat.

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 652-08



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December 2, 2008

Ms. Chris Corkell
Talbot County Office of Planning and Zoning
28712 Glebe Road, Suite 2
Easton, Maryland 21601

Re: **Nourse Variance
1512**

Dear Ms. Corkell:

Thank you for providing information on the above referenced variance request. The applicant is proposing a variance to the 100-foot stream Buffer to widen an existing driveway that crosses a tributary stream bed, tributary stream Buffer, and existing culvert. The property is 113.72 acres in size and is designated Resource Conservation Area (RCA).

COMAR 27.01.02.04C(1)(b) and 27.01.02.05C(7) states that, for Habitat Protection Areas (HPAs) located in the RCA, "all roads, bridges, and utilities that must cross a habitat protection area shall be located, designed, constructed, and maintained so as to provide maximum erosion protection and minimize negative impacts to wildlife, aquatic life and their habitats and maintain hydrologic processes and water quality. Roads, bridges, and utilities may not be located in any habitat protection area unless no feasible alternative exists." In reviewing the site plan, however, it appears that the applicant may be able to avoid Buffer impacts completely by locating the roadway in the agricultural field east of the stream and outside the Critical Area. Therefore, we question whether no other feasible alternative exists onsite. Prior to making a decision, the Board should make findings on this issue.

Finally, we note that the Board of Appeals must find that the applicant meets all five variance standards in order for a variance to be granted. We recommend that the Board give particular consideration in this case to whether the application meets the standard that water quality will not be adversely affected, that fish, wildlife or plant habitat will be not impacted, and that the variance will be in harmony with the spirit and intent of the Critical Area Law, particularly considering that there appears to be an alternative location for the roadway onsite that will not impact the stream or stream Buffer. While we acknowledge that the proposed roadway is located generally in the same area as an existing driveway, the proposed roadway represents a significant

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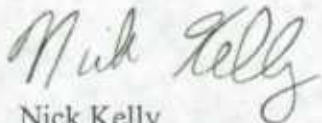
Annapolis: (410) 974-2609 D.C. Metro: (301) 586-0450



intensification of use in the RCA and is intended to service newly created lots in the Critical Area. In this regard, the Board should require every method of avoiding and minimizing impacts in the Critical Area to be fully explored by the applicant.

Thank you for again for providing information on this administrative variance request. Please include this letter in your file and submit it as part of the record for this variance. Also, please notify the Commission in writing of the decision made in this case. If you have any questions, please feel free to contact me at (410) 260-3483.

Sincerely,

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

Nick Kelly

Natural Resource Planner

cc: TC 652-08



Talbot County Board of Appeals

STAFF MEMORANDUM

Prepared by: Elisa Deflaux

Date: November 7, 2008

Appeals Case #: 1512

BOA Meeting Date: December 08, 2008

General Information:

Owner: Tyler & Stephanie Nourse

Applicant: Stephanie Nourse
5624 Oak Place
Bethesda, MD 20817-3526

Requested Action: Variance

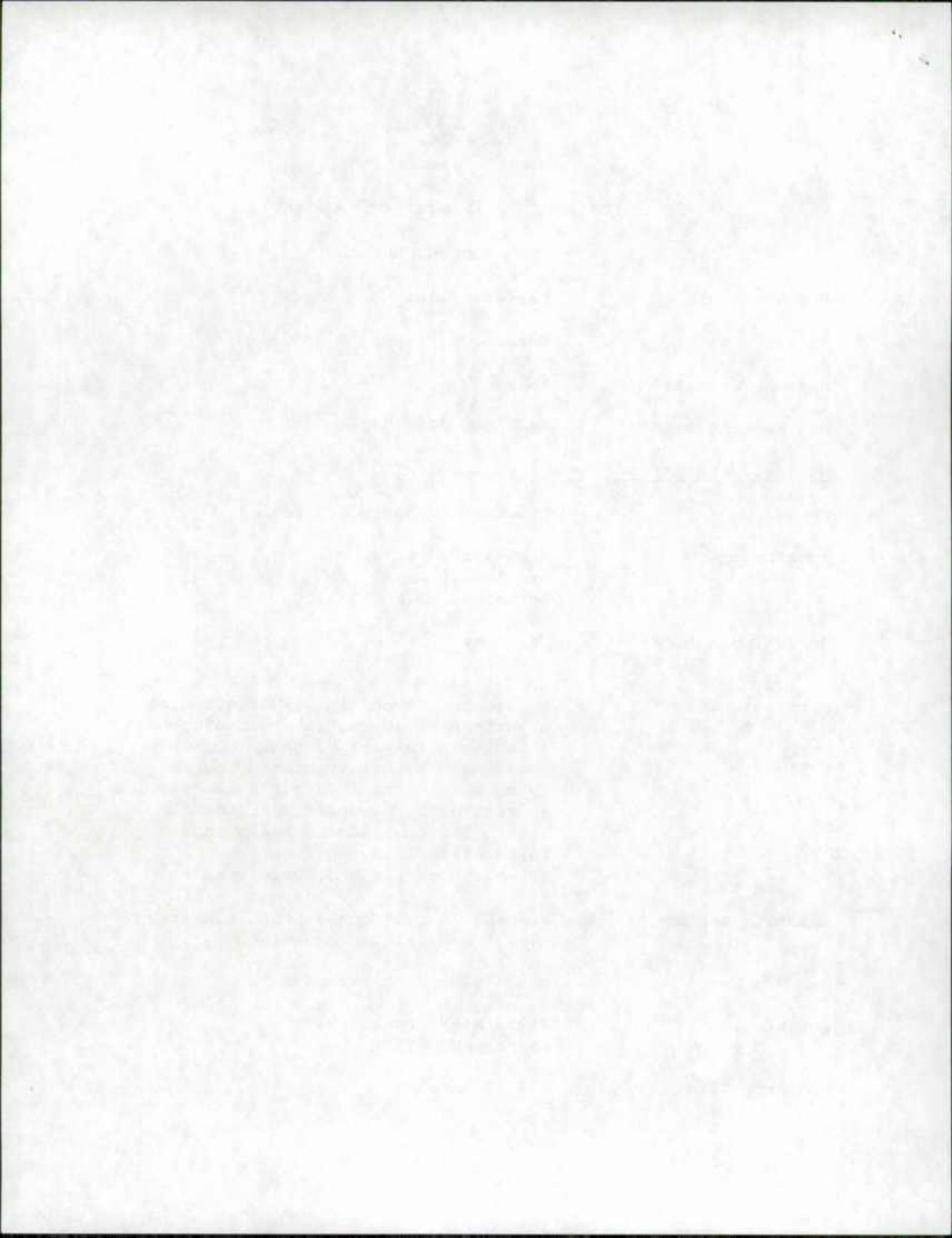
Purpose: Applicant, Stephanie G. Nourse requests a variance to permit the widening of an existing driveway through a buffer abutting a tributary stream bed and lying within the 100' buffer to provide access to the proposed residential lots. The creation of the proposed residential lots requires the establishment of a private road.

Existing Zoning: RC/WRC - Rural Conservation & Western Rural Conservation

Tax Map No: Map 41, Grid 2, Parcel 6

Location: 26259 St Michaels Road
Easton, MD 21601

Property Size: 113.72 Acres

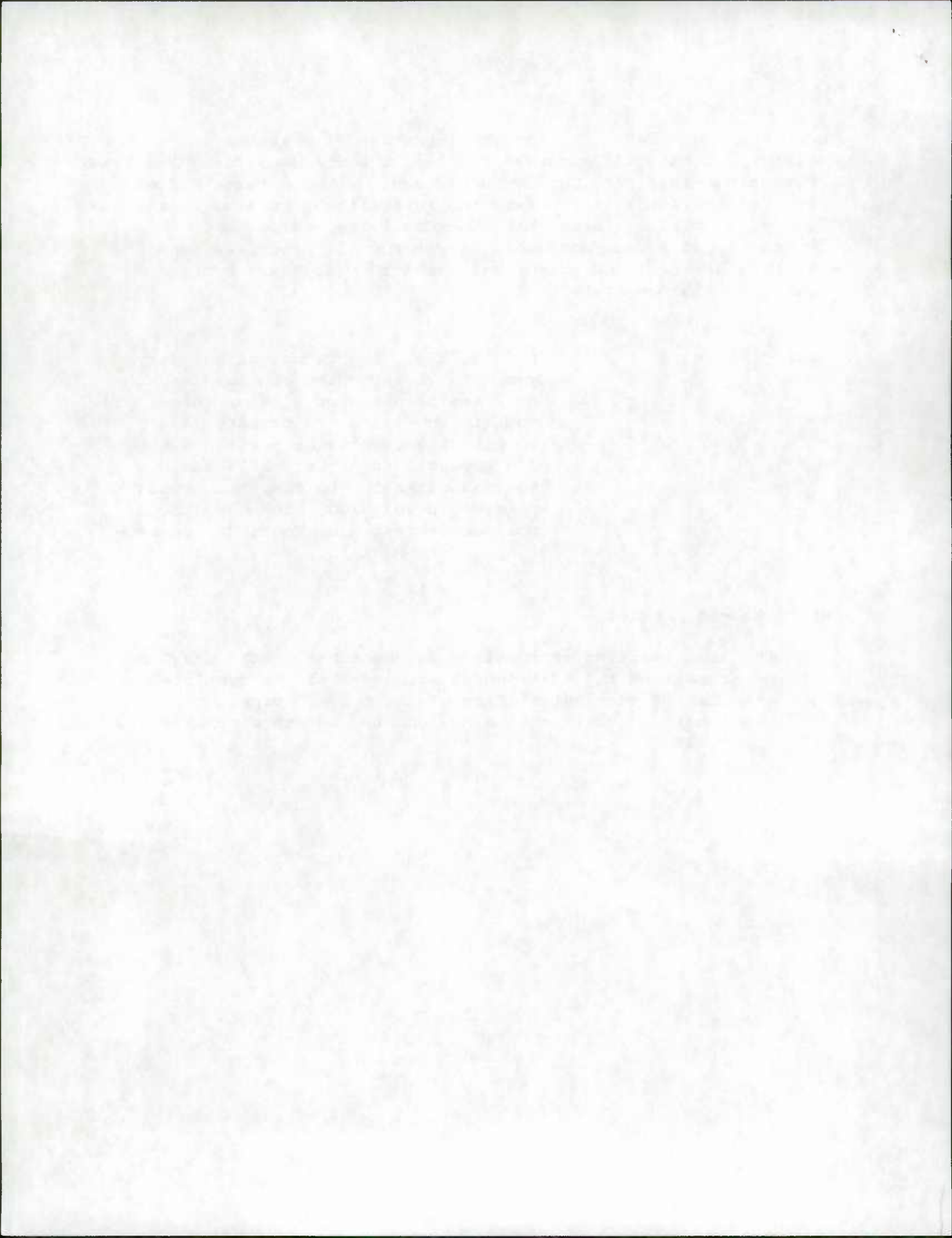


Comprehensive Plan: The Comprehensive Plan states in Chapter 7, "Natural Resources Conservation and Sensitive Area Protection" that "The County should continue to enforce buffer requirements for all tributary and intermittent streams in the County". It also states that "The County recognizes the importance of stream corridors as water quality buffers, and wildlife habitat; and encourages protection of these buffers in their undisturbed state".

Zoning History: In July, 2007, the Technical Advisory Committee reviewed the subject lands for a sketch plan for a major three lot subdivision with a new private road. The Planning Commission granted sketch plan approval in August, 2007 and a one-year extension to the sketch plan approval in July 2008. In 2008, the applicant received a license to operate a Short Term Rental.

Staff Recommendation:

- 1) The tree planting mitigation, as described in the Maryland Department of the Environment Permit, shall be completed at the time of the installation of the culvert pipe.
- 2) The applicant shall obtain all county and state permits and approvals.



TALBOT COUNTY DEPARTMENT OF PUBLIC WORKS

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 10' IN WIDTH (10' STRIP) CENTERED ON ALL NEW LINES OF DIVISION AND 10' IN WIDTH ALONG EXISTING BOUNDARY LINES ENTIRELY ON SUBJECT LANDS NOT CONTIGUOUS TO ANY ROAD.

LOTS 2 & 3 SHALL BE DEVELOPED IN ACCORDANCE WITH THE 2000 MARYLAND STORMWATER DESIGN MANUAL SECTION 5.0 ENVIRONMENTALLY SENSITIVE DEVELOPMENT CREDIT (CHAPTER 5 - STORMWATER CREDITS FOR INNOVATIVE SITE PLANNING), IN ACCORDANCE WITH THIS CRITERIA TWENTY-FIVE PERCENT (25%) OF THE GROSS SITE AREA SHALL BE PROTECTED AS "NATURAL CONSERVATION AREA" AS SHOWN HEREON.

GROSS SITE AREA = 113.627 ACRES
25% GROSS SITE AREA = 28.407 ACRES
NATURAL CONSERVATION AREA PROVIDED = 29.604 ACRES

THE NATURAL CONSERVATION AREAS SHALL BE MAINTAINED IN A NATURAL AND PASSIVE USE. THESE AREAS SHALL BE PLANTED OR OTHERWISE MAINTAINED TO MINIMIZE THE PROLIFERATION OF NOXIOUS OR INVASIVE WEEDS OR VEGETATION. NATURAL AREAS SHALL BE LIMITED TO A MAXIMUM OF TWO (2) MOWINGS ANNUALLY, NO MOWING IS PERMITTED IN WETLAND, STREAM AND SHORELINE DEVELOPMENT BUFFERS OR FOREST INTERIOR DWELLING BIRDS HABITAT PROTECTION AREAS. DEVIATION FROM THESE CRITERIA SHALL REQUIRE APPROVAL FROM THE TALBOT COUNTY DEPARTMENT OF PUBLIC WORKS PRIOR TO ANY DEVELOPMENT ACTIVITIES.

THE ROAD, DESIGNATED AS OAK CREEK FARM LANE, SHALL BE PRIVATELY OWNED AND AS SUCH, THE COUNTY HAS NO RESPONSIBILITY FOR ITS MAINTENANCE OR SAFETY. OAK CREEK FARM LANE SHALL BE OWNED BY LOT 1 AND MAINTAINED ACCORDING TO THE ROAD MAINTENANCE AGREEMENT RECORDED WITH THIS SUBDIVISION AMONG THE LAND RECORDS OF TALBOT COUNTY, MARYLAND IN LIBER 526, FOLIO 351, AND THAT ALL MONUMENTS AND/OR MARKERS OF PROPERTY LOTS USING OAK CREEK FARM LANE SHALL BE RESTRICTED UNTIL THE COUNTY CONSTRUCTION CONTRACTOR THAT THE ROAD WAS CONSTRUCTED ACCORDING TO THE REQUIREMENTS OF THE TALBOT COUNTY CODE AND ROAD MAINTENANCE AGREEMENT. SHOULD OAK CREEK FARM LANE BE UPGRADED TO COUNTY SPECIFICATIONS FOR PUBLIC ROADS, IN ACCORDANCE WITH THE PROVISIONS OF THE TALBOT COUNTY CODE, THE COUNTY WILL ASSUME OWNERSHIP OF OAK CREEK FARM LANE, AND RESPONSIBILITY FOR ITS MAINTENANCE, SAFETY AND INSPECTION.

TALBOT COUNTY ENGINEER DATE

NATURAL CONSERVATION AREA TABLE
NATURAL CONSERVATION REQUIRED = 28.407 ACRES
NATURAL CONSERVATION AREA No. 1 = 13.987 ACRES
NATURAL CONSERVATION AREA No. 2 = 14.617 ACRES
TOTAL NATURAL CONSERVATION PROVIDED = 28.604 ACRES

APPROXIMATE SHORELINE COURSES AND DISTANCES

Table with columns: LINE, BEARING, DISTANCE. Lists 78 shoreline points with bearings and distances.

SHORELINE COURSE NUMBERS 18-70 ARE THE LIMITS OF PRIVATE TIDAL WETLANDS AND WERE FIELD DELINEATED BY ENVIRONMENTAL CONCERN, INC. FEBRUARY 2007

SURVEYOR STATEMENT

I, DAVID R. JOINER, HEREBY CERTIFY THAT THE FINAL PLAT SHOWN HEREON IS CORRECT, THAT IT IS A SUBDIVISION OF THE LANDS CONVEYED FROM J. TYLER NOURSE TO J. TYLER NOURSE (DECEASED) AND STEPHANIE G. NOURSE BY DEED DATED SEPTEMBER 11, 1978 AND RECORDED AMONG THE LAND RECORDS OF TALBOT COUNTY, MARYLAND IN LIBER 526, FOLIO 351, AND THAT ALL MONUMENTS AND/OR MARKERS NOTED HEREON ARE IN PLACE.

THE SUBDIVISION PLAT SHOWN HEREON WAS PREPARED BY MC CRONE, INC. AT WHICH TIME THE UNDERSIGNED REGISTERED SURVEYOR WAS IN RESPONSIBLE CHARGE OF ITS PREPARATION AND THE SURVEYING WORK REFLECTED IN IT IS, TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF, IN COMPLIANCE WITH THE REQUIREMENTS STATED IN COMAR 08.13.06.12, THE MARYLAND MINIMUM STANDARDS FOR SURVEYORS.

DAVID R. JOINER PROPERTY LINE SURVEYOR No. 414
MC CRONE, INC.
207 N. LIBERTY ST.
CENTREVILLE, MARYLAND 21517
(410) 758-2237

HEALTH OFFICER DATE

HEALTH DEPARTMENT STATEMENT

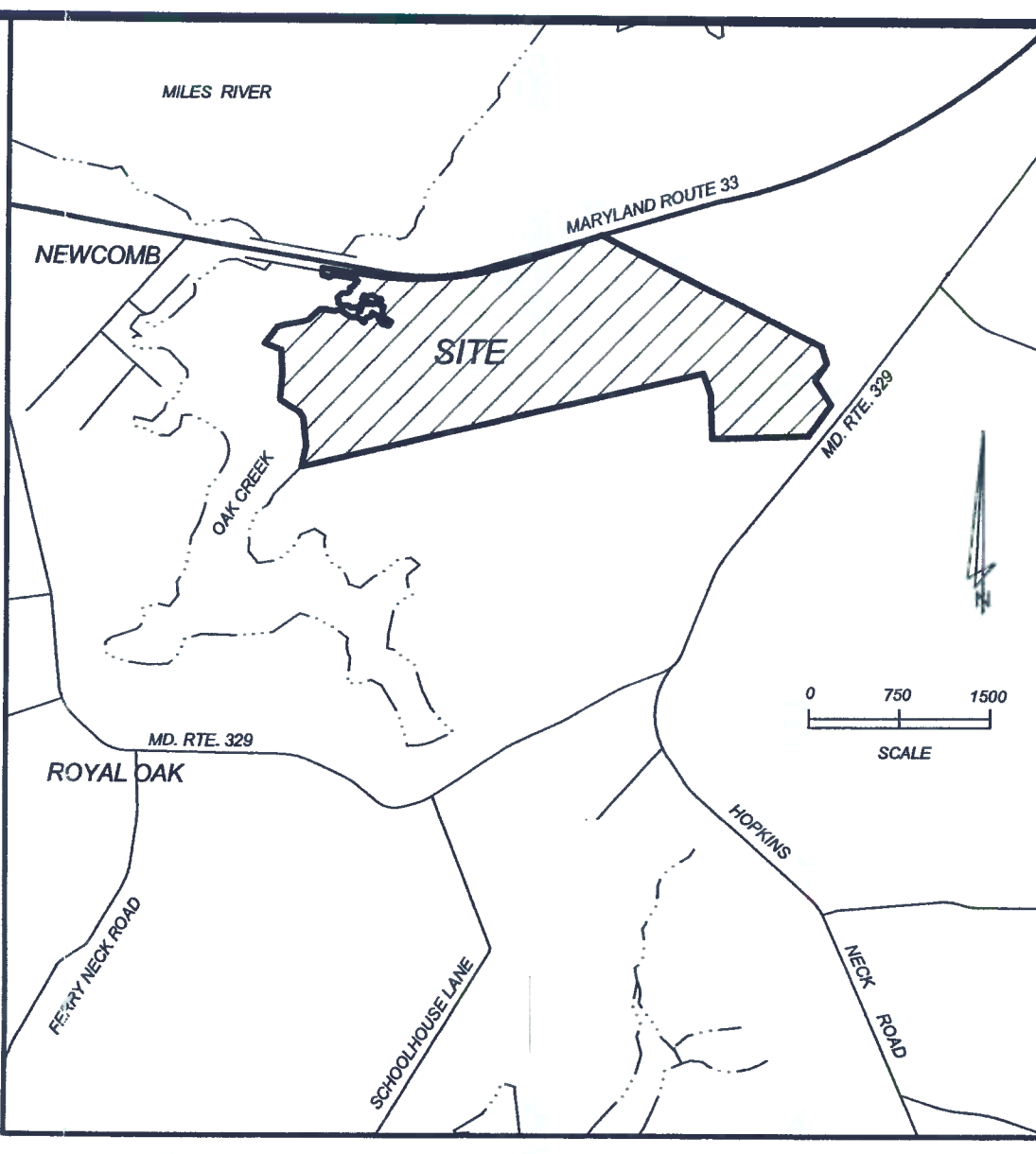
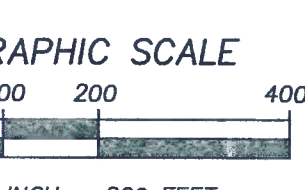
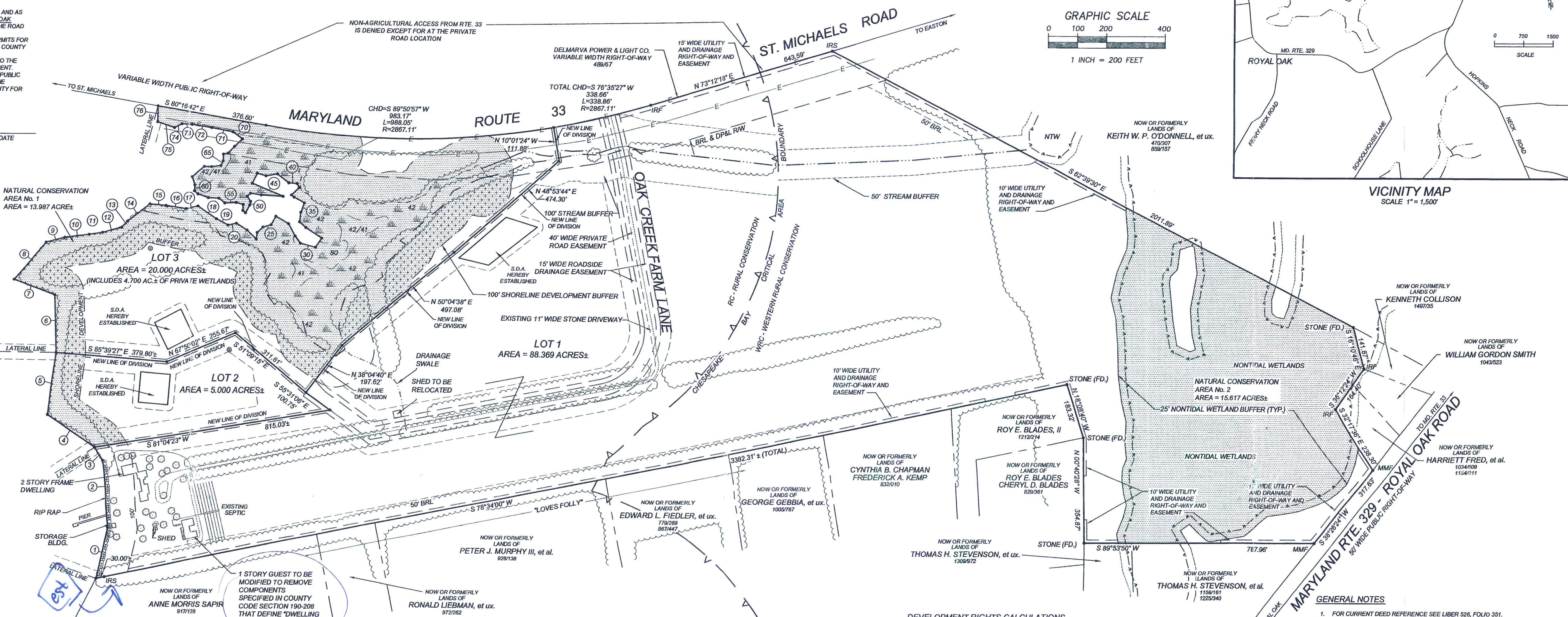
LOTS 1, 2 AND 3 AS SHOWN HEREON ARE APPROVED FOR INDIVIDUAL WATER AND SEWERAGE SYSTEMS AND THEIR USE IS IN ACCORDANCE WITH THE TALBOT COUNTY COMPREHENSIVE WATER AND SEWER PLAN AND MARYLAND DEPARTMENT OF ENVIRONMENTAL REGULATION 26.04.03. THE HEALTH DEPARTMENT APPROVAL ON THE PLAT CERTIFIES THAT THE LOTS 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/SHE 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.

HEALTH OFFICER DATE

TALBOT COUNTY OFFICE OF PLANNING AND ZONING

THE PURPOSE OF THIS PLAT IS TO SUBDIVIDE THE LANDS OF STEPHANIE G. NOURSE PREVIOUSLY RECORDED DEED IN THE LAND RECORDS OF TALBOT COUNTY AT LIBER 526, FOLIO 351 AND PLAT RECORDED AMONG THE LAND RECORDS OF TALBOT COUNTY IN PLAT BOOK 11, FOLIO 32.

TALBOT COUNTY PLANNING COMMISSION PLANNING OFFICER, AUTHORIZED AGENT DATE



RECEIVED APR 14 2010 CRITICAL AREA COMMISSION Chesapeake & Atlantic Bay

Table with columns: REV.#, DATE, DESCRIPTION. Lists revision history.

McCRONE logo and contact information: Environmental Sciences, Land Planning & Surveying, Construction Services, ANAPOLIS • CENTREVILLE • DOVER • ELKTON • SALISBURY



CRITICAL AREA FOREST TABLE
AREA WITHIN CHESAPEAKE BAY CRITICAL AREA = 64.432 ACRES
AREA TO BE SUBDIVIDED = 113.361 ACRES

AREA TABLE
TOTAL PROPERTY AREA = 113.361 ACRES
AREA TO BE SUBDIVIDED = 113.361 ACRES

AREA WITHIN CHESAPEAKE BAY CRITICAL AREA = 64.432 ACRES
AREA OF FOREST, NON-CRITICAL = 27.233 ACRES

AREA OF FOREST, NON-CRITICAL = 27.233 ACRES
AREA OF FOREST CONSERVATION, NON-CRITICAL = 0.001 ACRES

AREA OF PRIVATE TIDAL WETLANDS = 4.701 ACRES
AREA OF STATE TIDAL WETLANDS = 0.001 ACRES

TIDAL WETLAND CLASSIFICATION
CLASSIFICATION AREA OWNERSHIP
41-MEADOW CORDGRASS/SPRIGRASS 64.225 SQ.FT. PRIVATE

LAND OWNER STATEMENT
THE PRESENT OWNER OF THE LAND OF WHICH THIS SUBDIVISION IS COMPRISED IS: STEPHANIE G. NOURSE 5624 OAK PLACE BETHESDA, MD 20817

THE OWNER CONCUR WITH ALL NOTATIONS AND REPRESENTATIONS ON THIS PLAT WHICH IS PREPARED FOR AND WILL BE RECORDED AT HER REQUEST.

I, STEPHANIE G. NOURSE, OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON DO HEREBY AFFIRM TO THE POSITION OF THE PROPERTY LINES AS ESTABLISHED BY THIS PLAT, AND TO THE POINTS SET IN THE FIELD AS INDICATED HEREON.

STEPHANIE G. NOURSE
THE OWNER HAS SWORN TO AND SUBSCRIBED BEFORE ME THIS ____ DAY OF _____, 20__

MY COMMISSION EXPIRES _____



LEGEND
FOREST EDGE
TREE
MARBLE MONUMENT FOUND
IRON ROD FOUND
IRON ROD SET
SEWAGE DISPOSAL AREA
NONTIDAL WETLANDS
REQUIRED WELLS
EXISTING WELLS
DENOTES COMPUTED POINT UNLESS OTHERWISE SPECIFIED

WATERFOWL STAGING AREA NOTE
THIS AREA IS KNOWN AS A WATERFOWL STAGING AREA AND AS SUCH, PROPOSED CONSTRUCTION OF WATER DEPENDENT FACILITIES ARE SUBJECT TO REVIEW BY THE TALBOT COUNTY OFFICE OF PLANNING AND ZONING, THE ARMY CORPS OF ENGINEERS, MARYLAND DEPARTMENT OF THE ENVIRONMENT AND THE CHESAPEAKE BAY CRITICAL AREA COMMISSION. PLEASE CONTACT THE TALBOT COUNTY OFFICE OF PLANNING AND ZONING (410) 770-8030 FOR FURTHER INFORMATION.

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

DEVELOPMENT RIGHTS CALCULATIONS
THIS SUBDIVISION CONSISTS OF 64.432 ACRES WITHIN THE RURAL CONSERVATION (RC) AND 48.937 ACRES WITHIN THE WESTERN RURAL CONSERVATION (WRC).

RURAL CONSERVATION (RC) DEVELOPMENT RIGHTS ARE AS FOLLOWS
THREE (3) DEVELOPMENT RIGHTS PERMITTED
THREE (3) DEVELOPMENT RIGHTS UTILIZED (LOT 2, LOT 3)
ZERO (0) DEVELOPMENT RIGHT REMAINING WITHIN THE RC ZONE

WESTERN RURAL CONSERVATION (WRC) DEVELOPMENT RIGHTS
FIVE (5) DEVELOPMENT RIGHTS PERMITTED
ZERO (0) DEVELOPMENT UNITS PROPOSED UNDER THIS DEVELOPMENT PLAN

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.

NONTIDAL WETLANDS DISCLAIMER
THIS DEVELOPMENT MAY CONTAIN JURISDICTIONAL NONTIDAL WETLANDS WHICH HAVE NOT BEEN OFFICIALLY DELINEATED BY THE U.S. ARMY CORPS OF ENGINEERS.

SHORELINE DEVELOPMENT BUFFER MANAGEMENT STATEMENT
REMOVAL OF NATURAL VEGETATION WITHIN THE 100 FOOT SHORELINE DEVELOPMENT BUFFER IS PROHIBITED. CUTTING AND/OR CLEARING OF NATURAL VEGETATION WITHIN THE BUFFER IS SUBJECT TO REVIEW BY THE PLANNING AND ZONING OFFICE.

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 COUNTY CONSERVATION DISTRICT.

CUTTING AND CLEARING OF TREES WITHIN TALBOT COUNTY IS SUBJECT TO REVIEW BY THE TALBOT COUNTY PLANNING AND ZONING OFFICE.

AGRICULTURAL STATEMENT
BY ACCEPTANCE OF THE DEED TO THIS PROPERTY, EACH LOT OWNER OR THEIR SUCCESSORS OR ASSIGNS, HEREBY ACKNOWLEDGES 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 THIS PROPERTY.

GENERAL NOTES
1. FOR CURRENT DEED REFERENCE SEE LIBER 526, FOLIO 351.
2. FOR PLAT REFERENCE SEE PLAT BOOK 11, FOLIO 32.

3. THE ZONING CLASSIFICATION IS RC - RURAL CONSERVATION & WRC - WESTERN RURAL CONSERVATION.
4. THE PROPERTY SHOWN HEREON IS LOCATED PARTLY WITHIN THE CHESAPEAKE BAY CRITICAL AREA.

5. THE CHESAPEAKE BAY CRITICAL AREA DESIGNATION IS - RCA
6. RC-RURAL CONSERVATION: MINIMUM LOT SIZE ALLOWED IS 2 ACRES, 1 DWELLING UNIT PER 20 ACRES. MINIMUM LOT WIDTH IS 200' FOR RC-RURAL CONSERVATION AND WRC - WESTERN RURAL CONSERVATION.

7. BUILDING SETBACKS AS SHOWN ARE MINIMUM:
FRONT YARD 50 FEET
SIDE YARD 50 FEET
REAR YARD 50 FEET
SHORELINE 100 FEET FROM M.H.W. AND/OR TIDAL WETLANDS
STREAM 25 FEET
SPECIAL SETBACK FROM STATE HIGHWAY 150 FEET

8. ACCESS FOR LOTS 1, 2 AND 3 SHALL BE FROM OAK CREEK FARM LANE.
9. THIS PLAT WAS PREPARED WITHOUT BENEFIT OF REVIEW OF AN ABSTRACT OF TITLE.

FLOOD ZONE INFORMATION
THE PROPERTY SHOWN HEREON IS IN ZONES "A", "B" AND "C" LOCATED WITHIN THE COASTAL FLOOD PLAN AS SHOWN ON THE FEDERAL INSURANCE RATE MAPS FOR TALBOT COUNTY, MARYLAND. THEREFORE, MANDATORY FLOOD INSURANCE MAY BE REQUIRED IN ACCORDANCE WITH THE PROVISIONS OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, WASHINGTON, D.C. SEE FIRM MAP NO. 240066 0031 A. NO ON-SITE ELEVATIONS WERE TAKEN TO DETERMINE ACTUAL FIELD CONDITIONS.

FLOOD PLAIN LEGEND
A 100 YEAR FLOOD ZONE
B 500 YEAR FLOOD ZONE
C ZONE OF MINIMAL FLOODING

NOTIFICATION OF THE ENDANGERED SPECIES ACT
THIS DEVELOPMENT MAY CONTAIN THREATENED OR ENDANGERED SPECIES PROTECTED UNDER THE ENDANGERED SPECIES ACT AS AMENDED. THE U.S. DEPARTMENT OF THE INTERIOR, FISH AND WILDLIFE SERVICE ADMINISTERS REGULATIONS DESIGNED TO PROTECT THESE THREATENED AND ENDANGERED SPECIES AND THEIR HABITATS.

AGRICULTURAL STATEMENT
BY ACCEPTANCE OF THE DEED TO THIS PROPERTY, EACH LOT OWNER OR THEIR SUCCESSORS OR ASSIGNS, HEREBY ACKNOWLEDGES 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 THIS PROPERTY.

DATE: MARCH 5, 2007
JOB NUMBER: D1060186
SCALE: 1"=200'

DRAWN BY: MDN
DESIGNED BY:
APPROVED BY:
FOLDER REF: 11846

DATE: APR 09 2010
TAC: May 12, 2010

FINAL PLAN FOR MAJOR SUBDIVISION OF THE LANDS OF

STEPHANIE G. NOURSE

TAX MAP 41, GRID 2, PARCEL 6

SECOND ELECTION DISTRICT, TALBOT COUNTY, MARYLAND

PREPARED FOR STEPHANIE NOURSE

SHEET NO.:

FILE NO.: 06186-SU.dwg

1 OF 2

RECEIVED
 APR 14 2010
 CRITICAL AREA COMMISSION
 Chesapeake & Atlantic Coastal

REV. #	DATE	DESCRIPTION
1	8-28-2007	T.A.C. & PLANNING COMMISSION COMMENTS DATED
2	2-1-2010	REGARDING SKETCH PLAN SUBMISSION
3	2-17-2010	REVISIONS FOR PRELIMINARY PLAT SUBMITTAL
4	4-9-2010	REVISIONS FOR FINAL PLAT SUBMITTAL

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 307 NORTH LIBERTY STREET
 CENTREVILLE, MARYLAND 21031
 (410) 786-2271 FAX (410) 786-2464
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DATE:	JULY 20, 2007
JOB NUMBER:	D166186
SCALE:	1" = 100'
DRAWN BY:	MDN
DESIGNED BY:	
APPROVED BY:	
FOLDER REF:	11646

FINAL PLAN FOR MAJOR SUBDIVISION
 OF THE LANDS OF
STEPHANIE G. NOURSE
 TAX MAP 41, GRID 2, PARCEL 6
 SECOND ELECTION DISTRICT, TALBOT COUNTY, MARYLAND
 PREPARED FOR STEPHANIE G. NOURSE

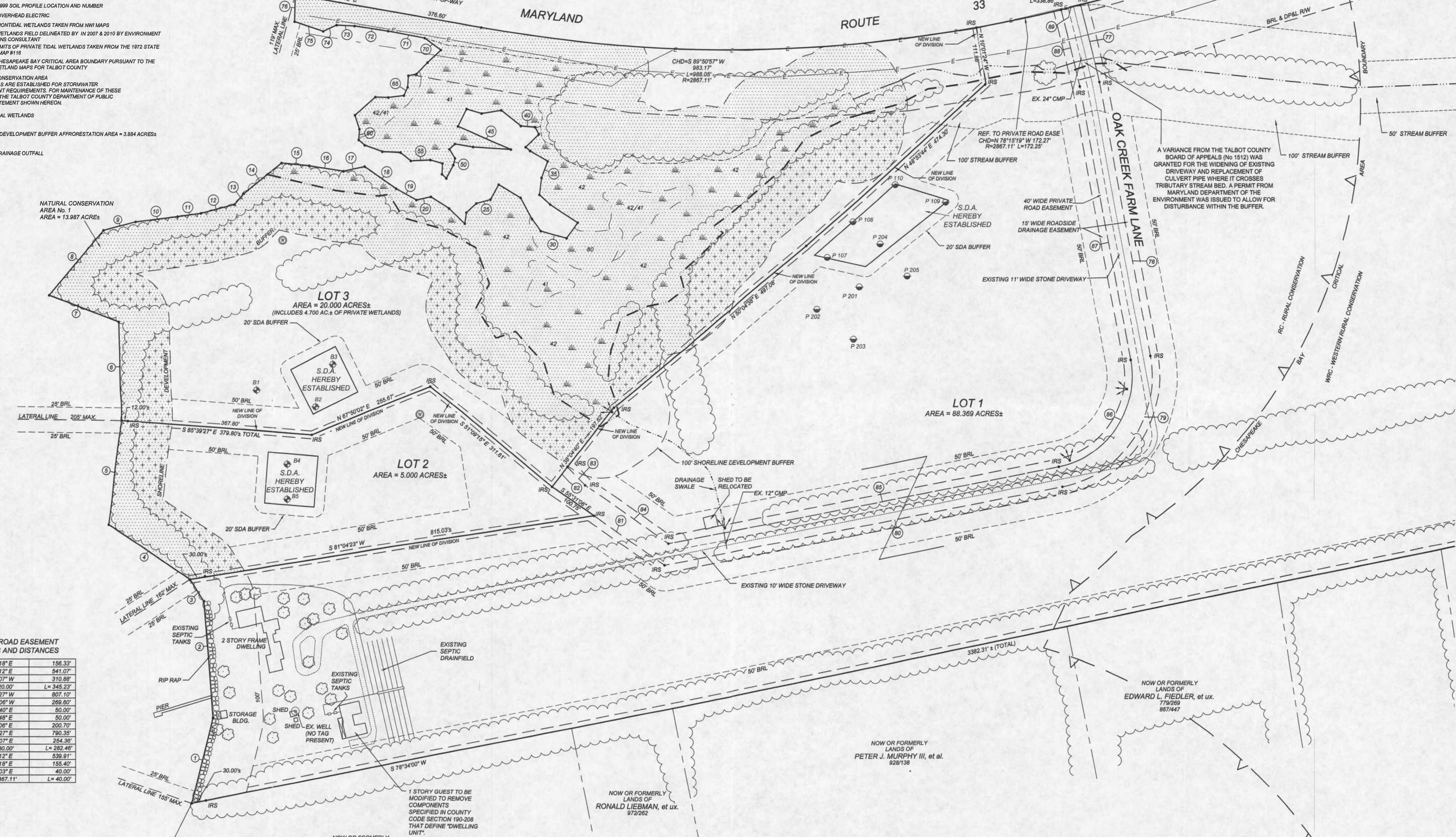
- LEGEND**
- FOREST EDGE
 - TREE
 - MMF MARBLE MONUMENT FOUND
 - IRF IRON ROD FOUND
 - IRS IRON ROD SET
 - SDA SEWAGE DISPOSAL AREA
 - NTW NONTIDAL WETLANDS
 - PROPOSED WELL
 - EXISTING WELL
 - DENOTES COMPUTED POINT UNLESS OTHERWISE SPECIFIED
 - DENOTES BUILDING SETBACK LINE (BRL)
 - DENOTES EASEMENT AND/OR RIGHT-OF-WAY LINE
 - DENOTES INTERMITTENT/PERENNIAL STREAMS FIELD DELINEATED APRIL 2010
 - DENOTES 2006/2007 PIEZOMETER LOCATION AND NUMBER
 - DENOTES 1999 SOIL PROFILE LOCATION AND NUMBER
 - DENOTES OVERHEAD ELECTRIC
 - DENOTES NONTIDAL WETLANDS TAKEN FROM NWI MAPS
 - DENOTES WETLANDS FIELD DELINEATED BY IN 2007 & 2010 BY ENVIRONMENT REGULATIONS CONSULTANT
 - DENOTES LIMITS OF PRIVATE TIDAL WETLANDS TAKEN FROM THE 1972 STATE WETLANDS MAP #116
 - DENOTES CHESAPEAKE BAY CRITICAL AREA BOUNDARY PURSUANT TO THE 1972 DNR WETLAND MAPS FOR TALBOT COUNTY
 - NATURAL CONSERVATION AREA
 THESE AREAS ARE ESTABLISHED FOR STORMWATER MANAGEMENT REQUIREMENTS. FOR MAINTENANCE OF THESE AREAS SEE THE TALBOT COUNTY DEPARTMENT OF PUBLIC WORKS STATEMENT SHOWN HEREON.
 - PRIVATE TIDAL WETLANDS
 - SHORELINE DEVELOPMENT BUFFER AFFORESTATION AREA = 3.884 ACRES±
 - DENOTES DRAINAGE OUTFALL

CRITICAL AREA (RC) LOT COVERAGE CALCULATIONS

LOT	TOTAL AREA CRITICAL AREA	LOT COVERAGE ALLOWED (15%)	EXISTING LOT COVERAGE	ALLOWABLE LOT COVERAGE REMAINING
LOT 1	26,452 AC± 1,717,688 SQ.FT±	3,968 AC± 257,648 SQ. FT±	2 STORY DWELLING 4,223 SQ.FT± GUEST DWELLING 2,444 SQ.FT± SHEDS & STORAGE BLDG. 1,062 SQ.FT± DRIVEWAY 33,642 SQ.FT± TOTALS 41,371 SQ.FT± / 0.954 AC±	4,961 AC± 216,066 SQ.FT±
LOT 2	5,000 AC± 317,800 SQ.FT±	0,750 AC± 32,670 SQ.FT±	0,000 AC± 0,000 FT±	0,750 AC± 32,670 SQ.FT±
LOT 3	20,000 AC± 1,271,200 SQ.FT±	3,000 AC± 190,680 SQ.FT±	0,000 AC± 0,000 FT±	3,000 AC± 190,680 SQ.FT±

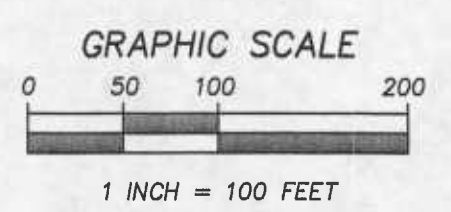
WESTERN RURAL CONSERVATION (WRC) LOT COVERAGE CALCULATIONS

LOT	TOTAL AREA WRC ZONE	LOT COVERAGE ALLOWED (15%)	EXISTING LOT COVERAGE	ALLOWABLE LOT COVERAGE REMAINING
LOT 1	48,937 AC± 2,131,696 SQ.FT±	7,341 AC± 257,536 SQ. FT±	0,000 AC± 0,000 FT±	7,341 AC± 257,536 SQ. FT±



PRIVATE ROAD EASEMENT COURSES AND DISTANCES

77	S 14°11'18" E	156.33'
78	S 10°52'12" E	541.07'
79	S 34°05'07" W	310.88'
80	R= 220.00'	L= 345.23'
81	S 79°02'27" W	827.10'
82	N 55°31'06" W	269.60'
83	N 36°04'40" E	50.00'
84	S 44°05'48" E	50.00'
85	S 55°31'09" E	200.70'
86	N 79°02'27" E	720.35'
87	N 34°05'07" E	254.38'
88	R= 180.00'	L= 282.46'
89	S 10°52'12" E	539.91'
90	S 14°11'18" E	155.40'
91	N 76°08'03" E	40.00'
92	R= 2867.11'	L= 40.00'



PLOTTED: Apr 09, 2010 - 9:30am
 Q:\D\060186 - Nourse\01660186-NOURSE-pre 3d\files\DWG\06186-SU.dwg
 Tab: SHEET 2 - 24 x 36 viewall