

Technical Advisory Committee of Cecil County

November 6, 2025

SUBDIVISIONS

Bailiff Woods, Lots 1-7, Bailiff Road, Preliminary Plat, McCrone, Inc., Fifth Election District.

David Strouss, McCrone, Inc. and Len Parrish, Developer, appeared and presented an overview of the project.

Mr. O'Connor read the comments from Water & Sewer Planning:

1. Water and Sewer allocation must be verified at preliminary plat.
2. Water and sewer allocation must be approved at final plat.

Ms. Forrest read the comments from DPR:

Stormwater Management

1. The Preliminary Stormwater Management Plan has been approved by the Division of Development Plans Review (DPR).
2. The Final Stormwater Management has been submitted to DPR and is under review.

Road & Storm Drains

3. The Road & Storm Drain Plan has been submitted to DPR and has received technical approval.

Sanitary Sewer

4. The Sanitary Sewer Plan has been submitted to DPR and has received technical approval.
5. Sanitary sewer allocation will need to be requested in accordance with Cecil County Sanitary District Policy Memorandum # 1 - Allocation of Sanitary Sewer Capacity and Payment of Major Facility Fees.

Ms. McNinch read the comments from CCSCD:

A final environmental site design plan for this project has been submitted to the District for review. All issues regarding erosion and sediment control will be addressed through the environmental site design plan review.

Mr. Goldman read the comments from CCPS:

1. Bus Service: To provide bus service inside of the development, 5 criteria must be met. They are outlined in the attached Bus Stop Guidelines document under "New Developments interior route extension".
 - While this development meets some criteria based on the map supplied, A complete evaluation will need to take place following the acceptance of these roads by Cecil County Public roads. Due to the limited walking distance from the farthest point and the lack of enrolled students CCPS will not be providing "Interior Service" to this development until further evaluations can be made and all 5 criteria can be met. As a result "Interior service" will not be provided.
 - Based on this information we would look at placing a community stop at the main entrance to the new development, Bailiff Rd.
 - Schools in this attendance area are Bay View Elementary, North East Middle, and North East High School. Please refer to the Capacity Sheet to note the enrollment at these schools.

Mr. Goldman read the comments from DES:

This proposal is away from known FEMA flood zones; no comment.

Mr. Goldman stated that no public comments were received.

Mr. Goldman, LUDS /P&Z read the comments of the division:

This proposal is in compliance with §3.8 of the Subdivision Regulations regarding public notification.

Zoning: Suburban Transitional (ST)

Land Use: This project location is situated within the 2010 Comprehensive Plan's Medium Density Growth Area (MDGA) land use district.

Tier Map: As established by the County's adoption of the Sustainable Growth and Agricultural Preservation Act's tier map, this site is located within a Tier 1 [\[a\]](#) area. Areas served by public sewerage systems and mapped as locally designated growth areas.

Water & Sewer: This site is located within an S-1 (existing sewer) area and W-2 (future water, 0-2 years) area per the 2019 Master Water & Sewer Plan.

Priority Funding Area: The site is located in a PFA

Priority Preservation Area: The site is not located in a PPA.

Critical Area: the site is not located within a Critical Area overlay district.

Floodplain: The property is not located in a Floodplain overlay zone.

Fire Response: The site is located within the North East Fire Company (005) service area. As of September 13, 2019, the Division of Planning & Zoning is requesting this information be placed on all subdivisions and site plans for the benefit of the State Department of Assessments and Taxation. This is properly noted on the plat

Preliminary Plat review standards

§4.1.8 of the Subdivision Regulations requires that the TAC and subsequently the Planning Commission, will, in general, be reviewing the Preliminary Plat with regard to the following:

1. Conformance to the provisions of the Cecil County Comprehensive Plan and the Cecil County Zoning Ordinance.
2. Conformance to the approved density and layout and any conditions of Concept Plat approval, including, but not limited to, completion of the boundary line survey, completion and review of any Traffic Impact Study by appropriate State and County departments, approval of the Preliminary Stormwater Management Plan, approval of the Preliminary Forest Conservation Plan and/or Preliminary Environmental Assessment.
3. Conformance to the applicable provisions of the Cecil County Zoning Ordinance and these regulations.
4. Protection of wetlands, streams, area of steep slope and shorelines, including, but not limited to, the Cecil County Critical Area Program and corresponding sections of the Cecil County Zoning Ordinance.
5. Protection of forested, reforested, or afforested areas as required by the Cecil County Forest Conservation Regulations.
6. Conformance to all requirements of the Cecil County Department of Public Works, including, but not limited to, stormwater management requirements.
7. Conformance to all requirements of the Cecil County Department of Environmental Health.
8. Conformance to the requirements of other State and County departments, as may be applicable.

Site History

The site, composed of Tax Map 25, Parcel 8 and Parcel 759, Lot 3, is a portion of the Montgomery Oaks, Section 2; Lots 62-140 Concept Plat, approved on August 15, 2005. The Concept Plat proposed 79 lots on 40.8 acres, for an approved density of 1.94 dwelling units / 1

acre. The Concept plat was approved with five conditions, which will be noted in the minutes but not read, as will all following conditions of approval.

1. The boundary line survey being completed prior to the TAC's review of the Preliminary Plat;
2. The JD being completed prior to the Planning Commission's review of the Preliminary Plat;
3. A TIS being completed prior to the TAC's review of the Preliminary Plat; and
4. A sensitive specie (sic) survey being completed prior to the Preliminary Plat review by the TAC.
5. DPW Conditions being met.

The Montgomery Oaks, Section 2, Lots 69-126 Preliminary Plat excluded the proposed Lots 62-68 and Lots 128-140 from the approved Concept Plat. The Preliminary Plat proposed 58 lots and depicted the current "Bailiff Woods" subdivision site as "Remaining Lands." The Preliminary Plat was approved on September 21, 2006, with six conditions:

1. Health Department requirements being met;
2. DPW requirements being met;
3. Documentation of the completed JD being submitted if JDs are once again performed;
4. The FCP and Landscape Plan being approved prior to Final Plat review;
5. The Final and Record Plats containing a statement signed by the Health Department approving authority; to the effect that use of the community water supply and community sewerage system is in conformance with the Master Water and Sewer Plan;
6. The Final and Record Plats containing a statement, signed by the owner, to the effect that such facilities will be available to all lots/houses offered for sale;

The Montgomery Oaks, Section 2, Lots 69-126 Preliminary Plat was approved for an extension on September 15, 2008 & August 19, 2009.

A Revised Preliminary Plat for Montgomery Oaks, Section 2, Lots 69-126, was approved on April 18, 2011, with seven conditions:

1. Health Department requirements being met;
2. DPW requirements being met;
3. The FCP and Landscape Plan being approved prior to Final Plat review;
4. The Final and Record Plats containing a statement signed by the Health Department approving authority; to the effect that use of the community water supply and community sewerage system is in conformance with the Master Water and Sewer Plan;
5. The Final and Record Plats containing a statement, signed by the owner, to the effect that such facilities will be available to all lots/houses offered for sale;
6. Deed restrictions for the long-term protection of the street trees and Forest

Retention/Afforestation Areas (FRAs) being recorded and noted on the plat prior to recordation, with the metes and bounds description of the FRA must be shown on the Final and Record Plats and

7. A 10' rear setback modification for Lots 79-87, 93-103, 107-109, 111-116, 120-123 being granted.

The Montgomery Oaks, Section 2, Lots 69-126 Preliminary Plat was approved for an extension on March 17, 2014; March 1, 2016; March 1, 2018; March 2, 2020; and March 15, 2022.

Montgomery Oaks, Section 2, Lots 88-108, Phase 1 received final plat approval on October 27, 2023 with four conditions:

1. Water and Sewer Planning (WSP) division requirements being met.
2. Development Plans Review (DPR) division requirements being met.
3. All proposed lots becoming members of the Homeowners Association for the maintenance of common open space with \$50 per recorded lot placed in escrow for improvements prior to recordation.
4. All proposed covenants, restrictions, and/or easements regarding ownership and perpetual maintenance to be applied to areas of Common Open Space, private open space, recreation areas, ad habitat & resource protection areas are reviewed and approved by the Planning Commission's attorney prior to recordation.

Montgomery Oaks, Section 2, Lots 88-108, Phase 1 was recorded on December 15, 2023.

Montgomery Oaks, Section 2, Lots 69-76 and 112-124, Major Subdivision, Revision was recorded on February 10, 2025.

Montgomery Oaks, Section 2, Lots 77-87 and 109-111 Final Plat was approved by the Director of Land Use and Development Services on July 9, 2025, conditioned on:

1. Division of Water & Sewer Planning (WSP) requirements being met, including:
 1. Providing a copy of the sanitary sewer allocation letter; and
 2. Providing a copy of the public water allocation letter.
2. Division of Development Plans Review (DPR) requirements being met, including:
 1. Execution and submission of the Inspection and Maintenance Agreement for Stormwater Management.
 2. Execution and submission of the Public Works Agreement for Road and Storm Drain facilities.
 3. Execution and submission of the Public Works agreement for Sanitary Sewer facilities.
3. The following items being placed on the record plat:
 1. Updating Note #6 that the setback modification was Granted by the Planning Commission at their meeting of April 18, 2011.
 2. The landscaping calculation is added to the plat.

3. Depicting the sidewalks on the plat.
4. Documentation that the lots have been included in the Homeowners Association for the maintenance of common open space must be established with \$50 per recorded lot placed in escrow for improvements prior to recordation.
5. All covenants and easements being reviewed and approved by the Planning Commission attorney prior to recordation per §4.2.16 of the Subdivision Regulations.

Subsequent approvals and plat extensions of the Montgomery Oaks plats will be noted in the minutes but not read; however, the subsequent approvals of the Montgomery Oaks plats do affect the density of the Bailiff Woods Lots 1 – 7 Concept Plat. Per Subdivision Regulations §4.0.9, preliminary approval by the Planning Commission of any section of the Concept Plat shall extend the density approval of the Concept Plat for as long as the Preliminary Plat is valid. In addition, Subdivision Regulations §4.1.16 states that the recordation of any section of a Final Plat shall extend the Preliminary Plat approval for an additional two (2) year period from the date of said recordation. Therefore, the Montgomery Oaks, Section 2, Lots 69-126 Preliminary Plat is valid until February 10, 2027, and the approved density remains as 1.94 dwelling units / 1 acre.

The Concept Plat for Bailiff Woods, Lots 1 – 7 was approved on July 21, 2025, with three conditions:

1. Division of Water and Sewer Planning requirements being met
2. Division of Development Plans Review requirements being met.
3. Appropriate sediment and erosion control measures should be taken to minimize impact to the downstream wetland habitats of federally and state-listed threatened Bog Turtle (*Glyptemys muhlenbergii*).

Density

The ST zone allows for a density of one dwelling unit per acre (1 du / 1 acre) for Single Family Detached Dwellings^[2] without Community Facilities,^[3] and four dwelling units per acre (4 du / 1 acre) with Community Facilities.

The new proposed subdivision is proposing 7 du on 12.3 acres, for a density of 0.56 du / 1 ac within the limits of the Concept Plat. As a partial revision of the Montgomery Oaks, Section 2; Lots 62-140 Concept Plat, this Preliminary Plat proposes seven dwelling units where 21 lots had been previously proposed.^[4] With the approval of the Concept Plat, the overall density of the lands included in the Montgomery Oaks, Section 2; Lots 62-140 Concept Plat is now 1.59 dwelling units / acre, from the previously approved maximum 1.94 dwelling units / 1 acre. The approved maximum density is noted on this plat, however, the new overall density for the Montgomery Oaks Concept Plat is not listed. It is recommended that the new overall density is included in the Planning Commission plat submission.

The subtitle of the plat notes that this Concept Plat is a partial revision to the Montgomery Oaks, Section 2; Lots 62-140 Concept Plat.

Schedule of Zoning Regulations

Article VI – Schedule of Zone Regulations – ST zone

	Lot size (sq. ft.)	Lot width (ft)	Front Setback	Rear Setback	Side Setback	Max Height	Road Frontage ^[5]
Detached, Single Family	6,500	65	20	20	10	35	100/25

Per Zoning Ordinance Article VI, Note #1, an expanded setback is required for new principal structures on lots adjoining a right-of-way for collector or arterial roads. Bailiff Road is a collector road; therefore, the expanded setback is 50 feet for the ST zone. Note #6, and the Building Restriction Line, reflects the expanded setback from Bailiff Road.

Water & Sewer

The Preliminary Plat proposes an extension of the existing water service provided by the Town of North East, Maryland. Water allocation must be provided prior to approval of the Final Plat.

The Preliminary Plat proposes an extension of the existing sewer service provided by Cecil County. Sewer allocation must be provided prior to approval of the Final Plat.

The Final Plat shall contain a statement signed by the Division of Water & Sewer Planning approving authority, to the effect that use of the community water supply and community sewerage system is in conformance with the Master Water and Sewer Plan. The note on the plat erroneously refers to a “County Health Officer.” All references to the “County Health Officer” should be substituted with “Director of Land Use and Development Services.”^[6]

The Final Plat shall also contain a statement, signed by the owner, to the effect that such facilities will be available to all lots/homes offered for sale.

Transportation

Street system and car parking as required in §7.2 of the Subdivision Regulations requires that surfaced roadways shall be of an adequate width to accommodate anticipated traffic. If this proposal is approved, there would be seven sites using a single access point for the subdivision. The applicant is advised that the minimum requirements are noted in this section, further discussion with the Division of Development Plans Review may be required.

Grades of streets shall adhere to the design standards in the Cecil County Road Code and

shall not, in general, exceed those standards.

Zoning Ordinance Section 277 provides the required off-street parking ratios for a Single-Family Dwelling; a minimum of 2.0 off-street parking spaces are required per dwelling unit.

7.2.12B.6 requires that all street names shall be approved by the Department of Emergency Services and the Department of Land Use and Development Services (LUDS). Road names shall not be duplicated or analogous to those used elsewhere in the County. Further, all proposed suffixes and prefixes shall not deviate from the standards adopted by the United States Postal Service.

The Planning Commission adopted a Traffic Impact Study (TIS) policy on November 21, 2022, that a Site, Local, or Regional TIS shall be required in certain circumstances. The applicant should make themselves aware of this new policy. Staff did not recommend a TIS at the Concept Plat phase.

Sidewalks are required along one side of internal public streets, per Section 26.5 of the Zoning Ordinance. This subdivision proposes a private mini-road; therefore, no sidewalks are required.

Environmental

A 110' perennial stream buffer is required for 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'. No perennial streams are noted on-site.

A 25' buffer is required around all intermittent streams present. The applicant is advised that this requirement may expand to a higher standard due to Forest Conservation and/or Floodplain standards. Intermittent streams, and the 25-foot stream buffers, are shown on the plat.

A 25' buffer is required around all non-tidal wetlands present. A wetland, and the 25-foot wetland buffer, is shown on the plat.

Permits are required from the (US Army) Corps of Engineers and MDE for all non-tidal wetland and stream impacts prior to recordation. Jurisdictional Determinations (JD) are required in conjunction with permitting. A JD is recommended to be done prior to Final Plat review by the Department of Land Use and Development Services but required to be completed prior to recordation.[\[7\]](#)

Flood Protection Setbacks, as defined by Zoning Ordinance Section 288, are present for all watercourses. The Flood Protection setbacks are delineated on the plat.

Dwellings or impervious surfaces shall not occur on slopes with a grade of 25% or more covering a contiguous area of 10,000 ft² or more. 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] Steep Slopes are shown on the Preliminary Plat.

The habitats of rare, threatened, and endangered species, as described by the Maryland DNR Natural Heritage Program, must be avoided. Maryland DNR has stated there are records for the federally and state-listed threatened Bog Turtle (*Glyptemys muhlenbergii*) documented downstream within the drainage area of the project. Appropriate sediment and erosion control measures should be taken during your project to minimize impact to these wetlands. ^[9] Forest Interior Dwelling Species (FIDS) are suggested to exist on-site.

A bufferyard meeting the Bufferyard B Standard per Appendix B of the Zoning Ordinance are required along collector and arterial roads. A Bufferyard meeting the Bufferyard A standard shall be placed along contiguous agricultural uses. This bufferyard may be waived by the Planning Commission when the principal structures are setback 300 feet from the boundary line. Street trees are required along internal streets. ^[10]

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.

Per §187.2, the Planning Commission may require bufferyards to separate different zoning districts from one another. All adjoining properties are in the ST zoning district.

Bufferyard shall be unoccupied except for utility facilities, identification signs, or exits and entrances.

The requirements of the Forest Conservation Regulations shall be met, including the approval of the Preliminary Forest Conservation Plan (PFCP) prior to submitting the Concept Plat to the Planning Commission. ^[11] A Preliminary Forest Conservation Plan ^[12] was approved on October 3, 2025.

Open Space

No less than fifteen percent (15%) of the gross area of the subdivision shall be devoted to open space and recreation area in a subdivision greater than 10 lots. ^[13] Required open space shall not include roadways and bufferyard.

Although this proposal is less than 10 lots, this is a partial revision to the Montgomery Oaks, Section 2; Lots 62-140 Concept Plat. The Bailiff Woods Lots 1-7 Concept Plat is required to meet the Open Space requirement from the original approval. The open space requirement is based upon the 12.3 acres of Parcel 8 & Parcel 759, Lot 3, for 1.845 acres of required open space. 5.4 acres of Common Open Space is proposed.

Zoning Ordinance Section 176.2 requires that no more than 40% of Common Open Space shall consist of wetlands. Of these 5.4 acres of Common Open Space, it is noted that zero acres (0%) of the Common Open Space is within wetlands.

Section 176.2 also requires a minimum of 15 % of the Common Open Space shall not consist of stream buffers, wetlands or wetland buffers, steep slopes, or habitats of rare, threatened, and endangered species. Of these 5.4 acres, it is noted that 1.8 acres (33.3%) of Common Open Space meets this condition.

A Subdivision Agreement and financial surety will be required for any physical improvements in the open space prior to recordation.

Soil, Ground Cover, and Site Drainage

The Division of Development Plans Review reports that the Preliminary Stormwater Management Plan (PSWM) has been approved.

School Capacity Data

School information:	Elementary	Middle	High School
FY 2025 EFMP	Bay View ES	North East MS	North East HS
FTE	506	759	1,060
Capacity	608	712	1,009
% Utilization	83%	107%	105%

Preliminary Plat Required Information^{[\[1\]](#)}

Per §4.1.20 notable corrections are:

1. Please indicate if the north arrow indicates true north.

The following must be completed prior to Preliminary/Final Plat submittal to the Planning Commission:

1. Drafting corrections, per the Division of Water and Sewer Planning and the Division of Development Plans Review, being met.
2. The correction of the Community Water Supply and Community Sewerage System note, replacing references to the "County Health Officer" with "Director of Land Use and Development Services."
3. Corrections should be made to bring the Final plat into compliance with §4.1.20 prior to submission to the Planning Commission.

Planning & Zoning reminds the applicant that the deadline for the Planning Commission is the third Thursday of the month, for following month's meeting.

Mr. Strouss noted that the JD was reviewed by the Army Corps at the end of September. They chose to not take jurisdiction over the wetland pocket that was found; they stated that it was part of the ephemeral stream. Mr. Goldman asked that a copy be provided to Planning & Zoning.

[\[1\]](#) Areas served by public sewerage systems and mapped as locally designated growth areas. The County may approve a minor or major subdivision only if all lots will be served by public sewer.

[\[2\]](#) *Dwelling, Detached:* A building containing one (1) dwelling unit on one (1) lot and detached from any other dwelling.

[\[3\]](#) *Community Facilities.* A public, private, or community water supply and distribution system and/or sewerage disposal system serving three (3) or more dwelling units.

[\[4\]](#) Lots 62-68 and Lots 128-140

[\[5\]](#) Road frontage requirements may be reduced to the lower figure for lots on a local roadway as defined on the Official Cecil County Roadway Classification Map.

[\[6\]](#) Per Policy 2025-01 - OSDS Guidance Document #7 Memorandum

[\[7\]](#) . 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.

[\[8\]](#) 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.”

[\[9\]](#) MD DNR Environmental Review Letter, 01/08/2025

[\[10\]](#) Zoning Ordinance Section 26.4

[\[11\]](#) Zoning Ordinance Section 251

[\[12\]](#) FCP #913

[\[13\]](#) Zoning Ordinance Section 26.3

[i] CONCEPT PLAT REQUIRED INFORMATION:

1. Concept Plats shall be submitted on paper and shall be clear and legible. Illegible plats will be discarded and the subdivider notified. Incomplete plats will not be accepted by the Office of Planning and Zoning. For Planning Commission review only, a Concept Plat shall be not considered complete if the Forest Stand Delineation and Stormwater Management Concept Plan have not been approved prior to submission of said Concept Plat (if in the Critical Area, a Concept Plat will not be considered complete unless the Conceptual Environmental Assessment has been approved prior to submission of said Concept Plat). In addition, for Technical Advisory Committee and Planning Commission review, a Concept Plat shall be not considered complete if the public notification sign(s) have not been properly installed, if the electronic version of the plat has not been submitted for posting on the County’s website, and if the submission fee, established in Appendix A, has not been paid prior to submission of said Concept Plat. Incomplete Concept Plats will be returned to the subdivider within fifteen (15) days of submission for completion and resubmission by the subdivider at a later date, and the submission fees shall be forfeited.
2. A vicinity map indicating the location of the property with reference to surrounding property, streets, nearest major intersection, north point, landmarks, streams, etc. Show all property owned according to the tax maps if only a part of the property is to be developed. The tax map, block (grid), and parcel number(s) shall also be provided.
3. In the event that a record subdivision adjoins the property to be developed, the subdivision should be indicated by dashed lines.
4. Title information:
5. Proposed name
6. Scale of Plat (feet and meters).
7. Location by election district, County and State.
8. Date.

5. Name and address of owner or person representing owner who is responsible for preparation of the plat.
6. North point.
7. Boundary of proposed subdivision. This can be a deed plot.

8. Location, widths, and names of all streets and/or alleys on or adjoining the subdivision; this should include plats which have preliminary approval as well as those recorded but unimproved and all existing easements. (to be indicated by dashed lines).
9. Location of existing utilities on or within two hundred (200) feet of the parcel.
10. The layout of all proposed and existing lots with appropriate dimensions and minimum area.
11. The approximate location and area of all property proposed to be reserved to public use or to be reserved for use by all property owners in the subdivision, also the purposes of any proposed easements.
12. Existing zoning classification of tract and all adjacent parcels. Any proposed zoning for the tract must be effectuated by a rezoning prior to the Planning Commission's review of the Concept Plat.
13. If community sewerage and/or water systems are to be used, such notation shall be made on the Concept Plat. The proposed providers of public water and/or sewer shall be cited on the plat, as applicable.
14. In the case of multi-family projects (apartments, townhouses, etc.) the following additional items shall be shown:
 1. Approximate location of buildings.
 2. Total number of units in each building.
 3. Total number of off-street parking spaces and the space to unit ratio.
 4. General location and areal extent of the following when the subdivision is proposed in the Cecil County Critical Area:
 5. Tidal and non-tidal wetlands;
 6. Streams (perennial and intermittent);
 7. Areas of steep slopes, highly erodible and other soils with development constraints;
 8. Shore and stream Buffer (110-foot or 200-foot minimum);
 9. Natural resource protection areas, Habitat Protection Areas, forests and developed woodlands on or in the vicinity of the proposed subdivision;
 10. The Critical Area Boundary and the applicable land management classification(s), i.e. Intensely Developed Area (IDA), Limited Developed Area (LDA), or Resource Conservation Area (RCA);
 11. Computation of the amount of acres in the Critical Area District; and
 12. The location and extent of existing and/or proposed shore erosion abatement approaches.
 13. The Conceptual Environmental Assessment.
16. All existing easements on the parcel(s) to be subdivided.
17. Any existing cemeteries or burial sites on the parcel(s) to be subdivided.
18. Additional information as required by the Forest Conservation Regulations and/or the Forest Conservation Technical Manual.

Site Plan, Morris & Ritchie Associates, Inc., Fifth Election District.

Jeff Matthai, Morris & Ritchie Associates, Stavros Kalaitzoglou, Developer, Christopher Mink, Town Engineer – Town of North East and Betsey Vennell, Director of Planning - Town of North East appeared and presented an overview of the project.

Mr. O'Connor read the comments from Water & Sewer Planning:

1. Water and Sewer allocation must be verified at preliminary plat.
2. Water and sewer allocation must be approved at final plat.
3. See updated signature block for Cecil County Water and Sewer Planning Division, Health Department does not review site plans.

Ms. Forrest read the comments from DPR:

Stormwater Management

1. The Concept Stormwater Management Plan has not been submitted to the Division of Development Plans Review (DPR). DPR recommends that technical approval of the Concept Stormwater Management Plan is granted prior to the Town Planning Commission reviewing the Concept Subdivision Plat.
2. DPR recommends that technical approval of the Preliminary Stormwater Management Plan is granted prior to the Town Planning Commission reviewing the Preliminary Subdivision Plat.
3. Any proposed work within the wetlands buffer must receive a joint permit from the Maryland Department of the Environment (MDE) and U.S. Army Corps of Engineers.
4. Overbank flood protection volume for the ten-year-frequency storm event per Cecil County Code Chapter 325 Section 10 is required.
5. All stormwater management must have an adequate outfall and conveyance to a receiving waterway to prevent any adverse impacts to downstream properties or nearby roadways.
 1. The State Highway Administration may have to review the discharge to the storm drain system along Rt. 40 and may require more than the minimal control required by DPR. Please contact SHA to verify.

Sanitary Sewer

6. This development will be served by County sewer and Town of North East water.
7. The Sanitary Sewer Plan will need to be approved by DPR prior to approval of the final plat, however DPR strongly encourages that the plans are submitted prior to the review of the preliminary plat. The Sanitary Sewer Plan must be prepared in accordance with the Cecil County Standard Specifications and Details for Water Mains & Sewer Mains.

8. Sanitary sewer allocation will need to be requested in accordance with Cecil County Sanitary District Policy Memorandum # 1 - Allocation of Sanitary Sewer Capacity and Payment of Major Facility Fees.

Ms. McNinch read the comments from CCSCD:

All issues regarding erosion and sediment control will be addressed through the environmental site design plan review process once an environmental site design plan is received for review.

Mr. Goldman read the comments from CCPS:

Cecil County Public Schools does not have any comments to make on this item since the project does not have any bearing on the school population.

Mr. Goldman read the comments from DES:

This proposal is away from known FEMA flood zones; no comment.

Mr. Goldman stated that no public comments were received.

Mr. Goldman, LUDS /P&Z read the comments of the division:

As a courtesy to the Towns in the County, the Technical Advisory Committee (TAC) from time-to-time reviews subdivision and site plan proposals – such as this

The Department of Land Use and Development Services (LUDS), Division of Planning & Zoning (PZ) comments are as follows:

It should be confirmed that the Town's Zoning Ordinance permits the proposed use in the Highway Commercial (HC) zoning district and the Highway Corridor Overlay District (HCOD).

It should be confirmed that this proposed plan is consistent with any previous approval(s) and/or conditional approval(s) by the Town.

As established by the County's adoption of the 2012 Sustainable Growth and Agricultural Preservation Act's tier map, this site is located within a Tier I area.

The site is partially within S-1 (existing service) sewer service areas, and located within the W-2 (future service, 0-2 years) water service area per the 2019 Master Water & Sewer Plan.

The project is located within a Priority Funding Area (PFA); and is outside a Priority Preservation Area (PPA).

The property is not located within a Critical Area overlay zone or district.

The property is not located in a Floodplain overlay zone.

The site is located within the North East Fire Company (005) service area. The Department of Land Use and Development Services is requesting this information be placed on all plans for the benefit of the State Department of Assessments and Taxation.

The Town of North East has signed an Agreement Assigning Obligations under the Forest Conservation Act^[1] where the Town agrees that no final building permit, subdivision plat, grading or sediment control permit shall be initiated or approved until the applicant has demonstrated compliance with the provisions of Cecil County's Forest Conservation Program. The FCP file reference, and recordation references for any Declaration of Restrictions or Afforestation/Reforestation Agreements, should appear on the final plan. Site Data Note #17 states "A Forest Stand Delineation was completed by GTA and submitted to CCOPZ 10/??/2025." "CCOPZ" should be "Cecil County Division of Planning & Zoning." A Forest Stand Delineation (FSD) for the property has not been submitted to OpenGov yet; the note should be updated when the FSD is submitted.

It is recommended that any Easements be depicted on the final plan and labelled with their recordation reference.

It is recommended that any Variances or Special Exceptions with file references be listed on the final plan.

It is recommended that any administrative waivers that have been granted be listed on the final plan.

A Traffic Impact Study (TIS) is recommended prior to plan approval. The Division of Planning & Zoning is aware that a TIS is under review by the Town of North East and MDOT SHA.

Parking ratios should be confirmed with the Town.

Potential pedestrian-vehicle safety conflicts should be identified. MUTCD signage, other traffic control devices, and striping should be considered.

It is recommended that water allocation be granted prior to final plan approval.

A sewer allocation must be granted by Cecil County prior to final plan approval.

It is recommended that any required Public Improvement Plans (i.e. sewer plans, road plans, stormwater plans, etc.) be approved prior to final approval.

It is recommended that any Public Works Agreements (County or Town) be recorded, and any associated surety submitted prior to final approval. It is recommended that the recordation

reference for those agreements should be on the plan.

It is recommended that any Inspection and Maintenance Agreements be recorded prior to plan approval. It is recommended that the recordation reference for those agreements should be on the plan.

It is recommended that the Grading Plan and Stormwater Management be addressed prior to plan approval.

It is recommended that the Final Plan contain a statement signed by the Division of Water and Sewer Planning, approving authority, to the effect that the use of community water supply and community sewerage system is in conformance with the 2019 Master Water and Sewer Plan.

[\[1\]](#) February 4, 2000

Wawa, Courtesy Review for the Town of Perryville, Coudon Blvd. and Pulaski Highway, Concept Site Plan, Bohler, Seventh Election District.

Cole Hayden, Bohler, appeared and presented an overview of the project.

Mr. O'Connor read the comments from Water & Sewer Planning:

1. Water and Sewer allocation must be verified at preliminary plat.
2. Water and sewer allocation must be approved at final plat.

Ms. Forrest read the comments from DPR:

Stormwater Management

1. The Concept Stormwater Management Plan has not been submitted to the Division of Development Plans Review (DPR). DPR recommends that technical approval of the Concept Stormwater Management Plan is granted prior to the Town Planning Commission reviewing the Concept Subdivision Plat.
2. DPR recommends that technical approval of the Preliminary Stormwater Management Plan is granted prior to the Town Planning Commission reviewing the Preliminary Subdivision Plat.
3. Any proposed work within the wetlands buffer must receive a joint permit from the Maryland Department of the Environment (MDE) and U.S. Army Corps of Engineers.
4. Development Plans Review will require overbank flood protection volume for the ten-year-frequency storm event per Cecil County Code Chapter 325 Section 10. The pre-development and post-development discharge for the 100-year-frequency storm event must be provided for review.
5. All stormwater management must have an adequate outfall and conveyance to a

receiving waterway to prevent any adverse impacts to downstream properties or nearby roadways.

1. An analysis of the receiving storm drain system crossing Coudon Boulevard will be required.

Road & Storm Drains

6. The Road & Storm Drain Plan must be prepared in accordance with the Cecil County Road Code & Standard Specifications ("Road Code"). The Road & Storm Drain Plan will need to be approved by DPR prior to approval of the final plat, however DPR strongly encourages that the plans are submitted prior to the review of the preliminary plat.
 1. Improvements to Coudon Boulevard may be required.
 2. The site entrance onto Coudon Boulevard must be designed in accordance with the Road Code.

Ms. McNinch read the comments from CCSCD:

All issues regarding erosion and sediment control will be addressed through the environmental site design plan review process once an environmental site design plan is received for review.

The stormwater management facility should be designed as a sediment basin/sediment trap during construction phase.

Mr. Goldman read the comments from CCPS:

Cecil County Public Schools does not have any comments to make on this item since the project does not have any bearing on the school population.

Mr. Goldman read the comments from DES:

This proposal is away from known FEMA flood zones; no comment.

Mr. Goldman stated that no public comments were received.

Mr. Goldman, LUDS /P&Z read the comments of the division:

As a courtesy to the Towns in the County, the Technical Advisory Committee (TAC) from time-to-time reviews subdivision and site plan proposals – such as this.

The Department of Land Use and Development Services (LUDS), Division of Planning & Zoning (PZ) are as follows:

It should be confirmed that the Town's Zoning Ordinance permits the proposed use in the C2 zoning district.

It should be confirmed that this proposed Concept Plat is consistent with any previous approval(s) and/or conditional approval(s) by the Town.

The project is located within a Priority Funding Area (PFA); and is outside a Priority Preservation Area (PPA).

As established by the County's adoption of the 2012 Sustainable Growth and Agricultural Preservation Act's tier map, this site is located within a Tier I area.

The site is located within an S-1 (existing service) sewer service area and W-1 (existing service) and W-2 (future service, 0-2 years) water service area per the 2019 Master Water & Sewer Plan.

The property is not located within a Critical Area overlay zone or district.

The property is not located in a Floodplain overlay zone.

The site is located within the Perryville Fire Company (008) service area. The Department of Land Use and Development Services is requesting this information be placed on all subdivisions for the benefit of the State Department of Assessments and Taxation.

The Town of Perryville has signed an Agreement Assigning Obligations under the Forest Conservation Act^[1] where the Town agrees that no final building permit, site plan, subdivision plat, grading or sediment control permit shall be initiated or approved until the applicant has demonstrated compliance with the provisions of Cecil County's forest conservation program. A Forest Stand Delineation has not yet been submitted to the Division of Planning & Zoning.

Additionally, the FCP file reference, and recordation references for any Declaration of Restrictions or Afforestation/Reforestation Agreements, should appear on the final site plan.

It is recommended that an Add-On Subdivision is approved prior to plan approval to consolidate the parcels affected by the proposed development.

It is recommended that any Easements be depicted on the final site plan and labelled with their recordation reference.

It is recommended that any Variances or Special Exceptions with file references be listed on the final site plan.

It is recommended that any administrative waivers that have been granted be listed on the final site plan.

A Traffic Impact Study (TIS) is recommended prior to site plan approval. Based on the

Institute of Transportation Engineer's Trip Generation Manual, a Convenience Store/Gas Station (VFP 2-8)^[2] generates 320 Peak Hour Trips. If the Town desires to implement this recommendation using the Cecil County Traffic Impact Study Policy, a Regional TIS would be the standard required for new development that generates more than 300 Peak Hour Trips.

Parking ratios should be confirmed with the Town.

Potential pedestrian-vehicle safety conflicts should be identified. MUTCD signage, other traffic control devices, and striping should be considered.

The water supply source (i.e., the Town of Perryville) should be noted on the plat, and water allocation must be granted prior to final site plan approval.

The sewer supply source (i.e., the Town of Perryville) should be noted on the plat, and sewer allocation must be granted prior to final site plan approval.

It is recommended that the final site plan contain a statement signed by the Division of Water and Sewer Planning, approving authority, to the effect that the use of community water supply and community sewerage system is in conformance with the 2019 Master Water and Sewer Plan.

It is recommended that any required Public Improvement Plans (i.e. sewer plans, road plans, stormwater plans, etc.) be approved prior to final site plan approval.

It is recommended that any Public Works Agreements (County or Town) be recorded, and any associated surety submitted prior to final site plan approval. It is recommended that the recordation reference for those agreements should be on the Subdivision.

It is recommended that any Inspection and Maintenance Agreements be recorded prior to site plan approval. It is recommended that the recordation reference for those agreements should be on the site plan.

It is recommended that the Grading Plan and the Stormwater Management be addressed prior to final site plan approval.

^[1] June 29, 2015

^[2] ITE Land Use Code 945

Smith Creek, II, Lot 9, Welders Lane, Preliminary / Final Plat, Rock Run Surveying, First Election District.

Evan Kelly, Rock Run Surveying and Timothy Deane, owner, appeared and presented an overview of the project.

Mr. O'Connor read the comments from Water & Sewer Planning:

1. MDE Plat note #1, change "Health Officer" to "Director of Land Use and Development Services."
2. Show proposed septic tank.

Ms. Forrest read the comments from DPR:
Stormwater Management

1. A Stormwater Management Plan has not been submitted to the Division of Development Plans Review (DPR) for the proposed improvements shown on the plat.
2. Prior to issuance of a building permit, a grading permit will be required.

Ms. McNinch read the comments from CCSCD:
All issues regarding erosion and sediment control will be addressed through the erosion and sediment control plan review process once an erosion and sediment control plan is received for review.

Mr. Goldman read the comments from CCPS:

1. Bus Service: To provide bus service inside of the development, 5 criteria must be met. They are outlined in the attached Bus Stop Guidelines document under "New Developments interior route extension".
 - Due to the limited walking distance from the farthest point and the lack of enrolled students CCPS, "Interior Service" is not provided to this development.
 - Based on this information potential school-age residents would use the current community stop at the main entrance to the development, Welders Lane.
 - Schools in this attendance area are Cecilton Elementary, Bohemia Manor Middle, and Bohemia Manor High School. Please refer to the Capacity Sheet to note the enrollment at these schools.

Mr. Goldman read the comments from DES:
This project is proposed in the AE flood zone.

Mr. Goldman stated that no public comments were received.

Mr. Goldman, LUDS /P&Z read the comments of the division:
This proposal was found to be in compliance with §3.8 of the Subdivision Regulations regarding public notification.

§2.0 of the subdivision regulations allows for a combined Preliminary-Final Plat for projects

proposing one to five lots.

Zoning: The site is within the Southern Agricultural Residential (SAR) zoning district.

Land Use: This project location is situated within the 2010 Comprehensive Plan's Resource Preservation (RPD) land use district.

Tier Map: As established by the County's adoption of the Sustainable Growth and Agricultural Preservation Act's tier map, this site is located within a Tier III⁽¹⁾ area.

Water & Sewer: This site is not located in the 2019 Master Water & Sewer Plan.

Priority Funding Area: The project is not located within a Priority Funding Area (PFA).

Priority Preservation Area: The project is in a Priority Preservation Area (PPA).

Critical Area: The site is located within a Resource Conservation Area (RCA) Critical Area overlay district.

Floodplain: A portion of the property is located within Flood Zone AE (Elevation 7) per FEMA FIRM Panels 24015CO262E.

Fire Response: The site is located within the Cecilton Fire Company (001) service area. As of September 13, 2019, the Division of Planning & Zoning is requesting this information be placed on all subdivisions and site plans for the benefit of the State Department of Assessments and Taxation. This is noted on the plat.

Preliminary Plat review standards

§4.1.8 of the Subdivision Regulations requires that the TAC and subsequently the Planning Commission, will, in general, be reviewing the Preliminary Plat with regard to the following:

1. Conformance to the provisions of the Cecil County Comprehensive Plan and the Cecil County Zoning Ordinance.
2. Conformance to the approved density and layout and any conditions of Concept Plat approval, including, but not limited to, completion of the boundary line survey, completion and review of any Traffic Impact Study by appropriate State and County departments, approval of the Preliminary Stormwater Management Plan, approval of the Preliminary Forest Conservation Plan and/or Preliminary Environmental Assessment.
3. Conformance to the applicable provisions of the Cecil County Zoning Ordinance and these regulations.
4. Protection of wetlands, streams, area of steep slope and shorelines, including, but not limited to, the Cecil County Critical Area Program and corresponding sections of the

Cecil County Zoning Ordinance.

5. Protection of forested, reforested, or afforested areas as required by the Cecil County Forest Conservation Regulations.
6. Conformance to all requirements of the Cecil County Department of Public Works, including, but not limited to, stormwater management requirements.
7. Conformance to all requirements of the Cecil County Department of Environmental Health.
8. Conformance to the requirements of other State and County departments, as may be applicable.

Final Plat review standards

§4.1.1 of the Subdivision Regulations states that after approval of the Concept Plat, the developer shall submit his Preliminary Plat, which may consist of a section of the Concept Plat. The developer shall prepare a Preliminary Plat conforming to the requirements set forth in these regulations and as stipulated in Appendices A and B and submit said plat to the Division of Planning and Zoning. This project is being pursued as a combined Preliminary-Final Plat and must also meet the subdivision requirements for a Final Plat. These requirements can be found in §4.2

§4.2.5 of the Subdivision Regulations requires a Final Plat is reviewed against the approved Preliminary Plat and any modification contained therein. In this case, the combined Preliminary-Final Plat reviewed by Planning Commission is the Final Plat.

In addition, each sheet of the subdivision plat must have the seal and signature of a Surveyor licensed to practice in the State of Maryland.

Subdivision History

Since April 15, 1976^[2] there have been multiple subdivisions from the original 384.4 acres.

On August 18, 1987, a Preliminary/Final plat for Franklin Estates was approved by the Planning Commission. Franklin Estates is a 4 lot mini-road subdivision, with open space parcel^[3]. A Concept Plat was not required.

An Add-on minor subdivision, Lands of Frank Skillman et ux was signed by P & Z on 6/25/1999; recorded in lands records same day (PC 777/397). The remaining lands area from Franklin Estates now shown as four "deed parcels"^[4] which were then reconfigured.

- Deed Parcel #1 is reconfigured and is 141.874 acres on the easterly side of the site.
- Deed Parcel #2 is subdivided into 2 lots as a minor subdivision.
- Deed Parcel #3 is reconfigured and is 104.701 acres on the westerly side of the site. Conservation area from Franklin Estates is added to Deed Parcel 3.

- Deed Parcel #4 is subdivided in to 5 lots as a minor subdivision.

The lot for this proposal comes out of Deed Parcel 1.

A revision to the Lands of Frank Skillman et ux revision was signed by P & Z on 10/15/1999 recorded the same day (PC 803/449). This staff reviewed project reconfigured portions of Deed Parcel #1, Deed Parcel 3 & Deed Parcel #4 to the four lots and the Right of Way (Gwendolyn Rd) created in Franklin Estates.

- Deed Parcel #1 is now 139.509 acres.
- Deed Parcel #2, Lots 1-2 are unchanged.
- Deed Parcel # 3 is now 71.563 acres.
- Deed Parcel # 4, Lot1 & Lot 3 added small portions to Franklin Estates Lot 1. The remaining lots are unchanged.

On September 20, 1999, a Concept Plat for On the Lands of John R. Harrison, proposing 9 lots on 75.66^[5] acres for a proposed density of 1 dwelling unit (du)^[6] per 8.41 acres (ac)^[7] was approved by the Planning Commission with four conditions:

1. Lot 1 being denied access to Bohemia Church Rd.
2. A Landscape Plan for street trees and Bufferyards being approved prior to the Planning Commission review of the final plat.
3. A Landscape Agreement being executed prior to recordation.
4. The Forest Conservation Plan being revised to exclude the wildlife corridor.

On October 18, 1999, a Preliminary Plat for the same 9 lots was approved by the Planning Commission with eight conditions^[8]:

1. Health Department requirements being met.
2. Department of Public Works requirements being met.
3. Lot 1 being denied access to Bohemia Church Road.
4. A Landscape Plan for street trees and Bufferyards being approved prior to final plat review by the Planning Commission.
5. A Landscape agreement being executed prior to recordation of the plat.
6. Final Forest Conservation Plan being approved prior to final plat review by the Planning Commission.
7. Street tree requirements on the unnamed subdivision to the east being waived; and
8. A Road Code Waiver being granted by the Department of Public Works.

On January 18, 2000, A Final Plat^[9] for Smith Creek (fka Lands of Harrison), Lots 1-4 was approved by the Planning Commission with 11 conditions:

1. Health Department requirements being met.
2. Department of Public Works requirements being met.
3. Lot 1 being denied access to Bohemia Church Road.
4. Landscape Agreement being executed prior to recordation.
5. Street Trees not being required on the stub or road to the east and an agricultural buffer not being required on Lot 4.
6. A Road Code Waiver being granted by the Department of Public Works for Welders Lan.
7. The Final Forest Conservation plan being approved prior to recordation.
8. Building restriction lines from Lots 3 and 4 on Sheet 4 of 4 being shown on the record plat.
9. The metes and bounds description of the forest retention areas being shown on the record plat.
10. Deed restrictions for the long term-protection of the forest retention areas being record prior to recordation; and
11. A note being added that not future development can take place on the Parcel 3 side of Add-on E.

On February 22, 2000, a Preliminary/Final Plat for Smith Creek, Lot 5 was approved by Planning Commission with 7 conditions:

1. Health Department Requirements being met.
2. Department of Public Works requirements being met.
3. Any future development proposed for this parcel being accompanied by a Concept Plat.
4. A Landscape Agreement for street trees being executed prior to recordation.
5. The standard Bufferyard and street tree note included on this plat also include on the record plat.
6. The building restriction lines depicted on the record plat for the pre-add-on property line or old property line being the front building restriction line for Lot 5; and
7. The word "division" being replaced with "property" on the old property line (the old division line between Parcel 1 and 3 for lot 5).

On August 19, 2002, a separate and distinct Concept Plat for Lands of Harrison, proposing 8 new lots, plus the incorporation of Lot 5 from Smith Creek (8+1) for a density of 1du/14.44ac, was approved by the Planning Commission with three conditions:

1. The Name Creek Land being approved prior to the Planning Commission's review of the preliminary plat.
2. The title block being modified to reflect the revision to adjacent subdivisions; and
3. Sensitive species survey being done prior to the Technical Advisory Committee review of the preliminary plat.

Extensions of the Lands of Harrison (2002) Concept Plat were granted on 8/16/2004 and 8/15/2005. The project was allowed to expire.

On December 21, 2006, a new Concept Plat proposing 8 lots, a reconfigured Lot 4, and the inclusion of Lot 5^[10] in the density calculation, on approximately 149.291 acres for a density for 1du/16.59 acres was approved by the Planning Commission, with the eight conditions.

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 being proposed.
5. The PFCP and any preliminary environmental assessment being approved prior to the Planning Commission's review of the Preliminary Plat.
6. A road names being approve 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.

On December 15, 2008, a Preliminary Plat for Smith Creek II (fka Lands of Harrison (2002)) for 7 lots reviewed by the Planning Commission.^[11] Only Lots 1-4 were approved, with ten conditions:

1. Health Department requirements being met.
2. DPW requirements being met.
3. A 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 Lot 1 being revisited prior to submission of the Final Plat.
8. The Smith Creek Lan acreage being added to Note #4 to meet the §4.1.22(r) requirement prior to submission of the Final Plat.
9. Deed Parcel line being shown on all subsequent submittals; and
10. The SAR total acreage being corrected on all subsequent submittals.

On November 18, 2008, a re-subdivision plat for Smith Creek, Lot 4, was signed by P & Z, and recorded November 19, 2008 (PC 1111/34). A note on that plat explicitly states:

Any future development shall be limited to the areas described as Parcel 1 (WLB 819/651) portion of the lot. The Areas described as Parcel 3 have exhausted all density, and there shall not be any further development.

The re-subdivision transferred 15.05 acres from Smith Creek Lot 4 (88 Welders Lane) to the Remaining Lands of Harrison. Lot 4 became 1.804 acres; and Lands of Harrison became 144.941 acres.

On November 6, 2017, a re-subdivision plat for Franklin Estates, Lot 2B was signed Planning and Zoning, and recorded on November 7, 2017 (PC 1119/65). This re-subdivision transfers all 2B south of Gwendolyn Rd. to the lands of Harrison. Harrison Farm became 195.602 acres.

Board of Appeals Case #4027

Appeal of staff's determination that this proposed project cannot proceed due to lack of density. Case heard on October 27, 2020 Board of Appeals postponed their vote the facts. Prior to the Board of Appeals rendering a decision the Director of Land Use & Development Services provided a memorandum in the interim. [The applicant then withdrew their appeal.]

The then-Director of LUDS issued a memorandum of November 10, 2020, specified the following:

1. The boundaries of the four deed parcels, for density calculation purposes, are the reconfigured boundaries shown on the plat recorded in PC 777/397^[12].
2. There are four existing dwellings from the Smith Creek subdivision within Deed Parcel 3 to be counted for density calculation purposes^[13]. This includes the original dwelling known as 88 Welders Lane.

On November 15, 2021, the Smith Creek, II, f/k/a Lands of J.R. Harrison, LLC, Lots 7-12 Concept Plat was approved by the Planning Commission, with seven conditions:

1. Health Department requirements being met;
2. DPR requirements being met;
3. Landscaping requirements being met, if applicable;
4. A Preliminary Environmental Assessment/Forest Conservation Plan must be approved prior to submittal of the preliminary plat;
5. A Preliminary SWM plan must be approved prior to submittal of the preliminary plat;
6. A Buffer management plan needs to be approved prior to preliminary plat submittal;
7. A Habitat protection plan must be approved prior to Preliminary Plat approval.

On June 20, 2022, Smith Creek II, f/k/a Lands of John Harrison, LLC, Lots 7-12, Preliminary / Final Plat was approved by the Planning Commission, with ten conditions:

1. Health Department requirements being met;
2. DPR requirements being met;
3. Critical Area requirements being met;
4. The planting locations of the 6.1-acre FIDS mitigation easement must be shown on the record plat with metes and bounds prior to record plat approval;
5. Easement and Deed Restrictions for the long-term protection of the FIDS mitigation areas and Critical Area portions of the lots must be executed and recorded prior to record plat approval;
6. A perpetual Conservation Easement must be executed and recorded for the Critical Area portion of Lot 8 prior to record plat approval;
4. The location of the Habitat Protection areas being shown on the record plat;
5. 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 record plat prior to record plat approval;
6. A Landscape Agreement accompanied by the appropriate amount of financial surety for the Afforestation/Forest Retention areas executed and recorded prior to record plat approval;
7. A Landscape Agreement accompanied by the appropriate amount of financial surety for the FIDS mitigation executed and recorded prior to record plat approval;
8. A note referencing the variance granted by the Board of Appeals for the buffer disturbance with the date of approval and File number 4136 noted on the record plat prior to record plat approval;
9. Labeling hydric and highly erodible soils on the record plat prior to record plat approval.
10. Labeling the 200' Critical Area Buffer on the front page of the record plat prior to record plat approval.

On July 17, 2023, a Preliminary/Final Plat for Smith Creek II, Lot 10, was approved by the Planning Commission with nine conditions:

1. Health Department requirements being met;
2. DPR requirements being met;
3. Critical Area requirements being addressed prior to record plat submittal;
4. Showing the location of the FIDS easement on the record plat. This should be updated to reference only lot 10;
5. The Forest Retention line should be updated to match the FIDS easement;
6. A FIDS easement agreement must be executed and recorded prior to record plat submittal;
7. Revising the signature block to appear in the bottom far-left corner of the plat;
8. Adding the name and address of the Owners of Lot 10 on the plat; and
9. Adding the recordation reference number of the unnamed Mini-Road Right-of-Way to the record plat.

Also on July 17, 2023, a Preliminary/Final Plat for Smith Creek II, Lot 11, was approved by the Planning Commission with nine conditions:

1. Health Department requirements being met;
2. DPR requirements being met;
3. Critical Area comments being addressed for the revised Environmental Assessment/Buffer Management plan;
4. Showing the location of the FIDS easement on the record plat. This should be updated to reference only lot 11;
5. The Forest Retention line should be revised to reference FIDS easement and updated to match the FIDS easement;
6. A FIDS easement agreement must be executed and recorded prior to record plat submittal;
7. Revising the signature block to appear in the bottom far-left corner of the plat;
8. Adding the name and address of the Owners of Lot 11 on the record plat; and
9. Adding the recordation reference number of the unnamed Mini-Road Right-of-Way to the record plat.

The Smith Creek II, Lot 10 plat was signed on November 21, 2023, and recorded on December 27, 2023.

The Smith Creek II, Lot 11 plat was signed on August 6, 2024, and recorded on August 8, 2024.

On October 23, 2024, a Preliminary/Final Plat for Smith Creek II, Lot 12, was approved by the

Planning Commission with nine conditions:

1. Division of Water and Sewer Planning requirements being met
2. Division of Development Plans Review requirements being met.
3. Critical Area Commission comments must be addressed, and Critical Area requirements must be met.
4. Approval of the Environmental Assessment (including Habitat Protection Plan) and Buffer Management plan.
5. The approved Final Forest Conservation Plan number being noted on the plat, along with the recordation reference for the Declaration of Restrictions.
6. Note #17 should be updated to include the Habitat Protection Areas described in the Wildlife & Heritage Letter received on February 7, 2024.
7. The recordation reference of the FIDS Mitigation Easement Agreement should be noted on the plat.
8. The 15% lot coverage limitation in the Critical Area RCA district should be noted on the plat.
9. Corrections should be made to bring the Preliminary-Final plat into compliance with §4.1.20 and §4.2.13.

The Smith Creek II, Lot 12, plat was signed on March 4, 2025, and recorded on March 5, 2025. Therefore, the Concept Plat is still valid through March 30, 2027.

The purpose of this project is to separate Lot 9 from the already approved preliminary/final so that it can be recorded at its own pace.

Density

The SAR zone permits a maximum base density of 1 du/ 1 ac for minor subdivisions and 1 du/20ac for major subdivisions. The RCA overlay district permits a maximum density of 1du/20ac. This subdivision proposes the activation of one ag parcel on 17.63 acres. However, based upon subdivision history, and previous planning commission decisions, the dwelling from Smith Creek Lot 5 must be included in any density calculations. With the recordation of the Smith Creek II, Lot 12 Preliminary/Final Plat, there are three (3) remaining development rights in the SAR zoning district for Smith Creek II. However, only two (2) of the development rights may be used in the RCA Critical Area overlay district.

Schedule of Zoning Regulations

Article VI – Schedule of Zone Regulations – SAR zone

SAR	Lot size (sq. ft.)	Lot width (ft)	Front Setback ^[14]	Rear Setback	Side Setback	Max Height	Road Frontage
SFD	20,000	80	40	40	10	35	100/25 ^[15]

The minimum road frontage requirements are not required for lots created under intra-family transfer provisions per Zoning Ordinance Section 171.1. An access easement between the lot and a public right-of-way must be established prior to plat recordation.

Water & Sewer

The plat shows that water service will be provided by an on-site well.

The plat shows that sewer service will be provided on-site sewerage disposal system.

The Final Plat shall contain a statement signed by the Division of Water & Sewer Planning approving authority, to the effect that use of the water supply and sewerage system is in conformance with the Master Water and Sewer Plan. The note on the plat erroneously refers to a "County Health Officer." All references to the "County Health Officer" should be substituted with "Director of Land Use and Development Services."^[16]

Transportation

Zoning Ordinance Section 277 provides the required off-street parking ratios for a Single Family Dwelling; a minimum of 2.0 off-street parking spaces are required per dwelling unit.

Driveways shall measure not less than 12 feet in width and 18 feet in length.

The Planning Commission adopted a Traffic Impact Study (TIS) policy on November 21, 2022, that a Site, Local, or Regional TIS shall be required in certain circumstances. The applicant should make themselves aware of this new policy. Staff will not be recommending a TIS.

Environmental

§4.1.20(a) of the Subdivision Regulations requires that a Preliminary Plat shall only be reviewed by the Planning Commission if the Preliminary Environmental Assessment has been approved. An Environmental Assessment has not been submitted.

Comments from the Critical Area Commission regarding the TAC Preliminary/Final Plat were received on 11/05/2025.

A 110' perennial stream buffer is required from a 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 perennial stream (Strawberry Run) is depicted along the eastern boundary of the site.

A 25' buffer is required around all intermittent streams present. The applicant is advised that

this requirement may expand to a higher standard due to Forest Conservation and/or Floodplain standards. An intermittent stream, and the 25-foot stream buffer, is shown on the plat southwest of the proposed dwelling. The proposed driveway would disturb the nonperennial stream buffer. A variance^[17] was granted on May 23, 2022, for the proposed disturbance. A question for the applicant: our data suggests that an intermittent stream exists north of the proposed septic reserve area; can you confirm the existence or nonexistence of the stream using field verification?

In areas where tributary streams (perennial or intermittent) are within the 200' Critical Area Buffer (Buffer) then the Buffer shall be expanded to include those tributary streams within the Critical Area. The perennial stream buffer has been expanded to 200' feet.

The habitats of rare, threatened, and endangered species (RTE) must be avoided. A Wildlife & Heritage Letter from MD Department of Natural Resources has not been submitted to the Division of Planning & Zoning. A Habitat Protection plan must be approved as part of the original Environmental Assessment. The locations of the habitat protection areas should be shown on the plat.

Open Space

Common Open Space (COS) is not required for this project.

Landscaping

No Street Trees are required for this project.

A Bufferyard meeting the A standard in Appendix B of the Zoning Ordinance must be established from contiguous agricultural uses. This requirement may be waived if the principal structures are setback 300' from the property line OR may be waived by the Planning Commission if it finds that the essential elements of rural character can be best maintained by preserving scenic views. It is noted that this requirement was waived by the Planning Commission by November 15, 2021, to preserve the scenic views of the rural area, however, the waiver was not granted by a separate vote. It is recommended, for clarity, that the request is made again at the Planning Commission meeting, and given a separate vote.

Any tree removal within a public right-of-way requires approval from the Maryland Department of Natural Resources.

Soil, Ground Cover, and Site Drainage

§4.1.20(a) of the Subdivision Regulations requires that a Preliminary Plat shall only be reviewed by the Planning Commission if the Preliminary Stormwater Management Plan has been approved. A Preliminary Stormwater Plan has not been submitted.

School Capacity Data

School information:	Elementary	Middle	High School
FY 2025 EFMP	Cecilton	Bohemia Manor MS	Bohemia Manor HS
FTE	275	472	577
Capacity	350	601	643
% Utilization	79%	79%	90%

Preliminary Plat Required Information^[1]

Per §4.1.20 notable corrections are:

1. The vicinity map should depict the property boundaries in the vicinity.
2. The names of adjoining property owners, and the recordation references for the adjoining properties, must be included on the plat.
3. The signature and seal of the surveyor must be included on the plat.
4. The contour elevations on the plat are much higher than Cecil County's records suggest. Please confirm the contour heights and list the source(s) for the topography data.
5. Please include a depiction of the access to a public right-of-way.
6. The zoning districts of the adjoining properties must be labelled.
7. The "Development Rights" notes must be corrected. Following the recordation of Smith Creek II, Lot 12, Three (3) development rights are available for the parent parcel, and two (2) of these development rights are allowed in the Critical Area RCA district. With the activation of Lot 9, two (2) development rights remain for the parent parcel, and one (1) of these development rights are allowed in the Critical Area RCA district.
8. The "Area Table" has the labels swapped between the "Area within Critical Area" and "Area outside of Critical Area" calculations. The entirety of the parcel is within the Critical Area.
9. Within the Critical Area RCA district, impervious surface coverage is limited to 15% of the property. For a property with an area of 768,121 sq. ft., impervious surface coverage is limited to 115,218.15 sq. ft. The "Area Table" and "Impervious Coverage" tables must be corrected to match the correct coverage limit.
10. Slopes 15% or greater must be depicted.
11. The soil type, MkB, is listed as "highly erodible," but Cecil County's data suggests that it is not. Please confirm if the MkB soil is highly erodible.
12. The location of all Habitat Protection Areas must be depicted.
13. The total area of the site that will be temporarily disturbed during development and area that will be permanently disturbed^[18] must be depicted on the plat.

14. The locations of the Critical Area District Boundary, the Mean High Water Line, and the landward edge of tidal wetlands, must be depicted.

In addition, §4.1.21 outlines additional information that is required when the subdivision is proposed in the Critical Area:

- (a) A Planting Plan reviewed by and addressing the comments of the Bay Watershed Forester;
- (b) A Habitat Protection Plan, including the comments of the Maryland Forest, Park and Wildlife Service, the Water Resources Administration and other agencies as appropriate.
- (c) An executed Cooperators Agreement with the Cecil County Soil Conservation District or a farm plan, as applicable.
- (d) A Preliminary Sediment and Erosion Control Plan.
- (e) A Shore Erosion Protection Plan – complete specification for complete shore erosion work.
- (f) Natural Park Management Plan, as appropriate; and
- (g) A Preliminary Environmental Assessment, which provides a coherent statement of how the proposed development addresses the goals and objectives of the Cecil County Chesapeake Bay Critical Area Program. At a minimum, the Environmental Assessment shall include:^{[\[19\]](#)}
 - 1. A statement of existing conditions, e.g. amount and type of forest cover, amount and type of wetlands, discussion of existing agricultural activities on the site, soil types, topography, etc.
 - 2. A discussion of the proposed development project, including number and type of residential units, amount of impervious surface, proposed sewer treatment and water supply, acreage devoted to development, proposed open space and habitat protection areas;
 - 3. A discussion of the proposed development's impacts on water quality and Habitat Protection Areas; and
 - 4. Documentation of all correspondence and findings.

Final Plat Required Information^{[\[ii\]](#)}

Per §4.2.13, notable corrections are:

- 1. The signature and seal of the surveyor must be included on the plat.
- 2. The signature block is signed by the Chief of the Division of Development Plans Review, and this must be noted in the block.
- 3. Tabulation on Final Plat (above approval block) showing the following:
 - 1. Total number of lots and/or parcels to be recorded.
 - 2. Total area of lots and/or parcels including easements and widening strips.
 - 3. Total area of roadways to be recorded.
 - 4. Total area of subdivision to be recorded and where density restrictions apply, the

acreage dedicated to the development, and the total area to be recorded as common open

space.

5. Total area of subdivision or parcels to be recorded in the Critical Area District.
6. Total number of lots in the Critical Area District.
7. Residential density in the Critical Area District.
4. The boundary of the subdivision must include the distances of courses to hundredths of a foot and bearings relating to and consistent with the geodetic control requirements approved by the Board of County Commissioners on May 15, 2007.
5. The bearings and the lengths of all arcs, radii, tangents, chords, and distances must be included in tabular form.
6. All lot lines must be labelled with dimensions in feet and hundredths, and with bearings to a minimum accuracy of one (1) second.
7. All easements, reservations, or rights-of-way provided for public service or utilities in the subdivision, and any limitations of such easements, must be included on the plat. All existing recorded easements, if they are in excess of a five (5) foot drainage and utility easement, shall be indicated with recording references if known.
8. Coordinates must be shown for the outside boundary of the plat.
9. The names of adjoining property owners, and the recordation references for the adjoining properties, must be included on the plat.
10. The following must be depicted:
 - a. Exact locations, widths and bearings of any common or reserved areas or portions of lots to be maintained by covenant, easement, or similar approved instrument, in permanent forest cover, including existing forested areas, reforested areas and afforested areas to meet the requirements of the Critical Area Program and/or Forest Conservation Regulations, as applicable. The bearings and the lengths of all arcs, radii, tangents, chords, and distances in tabular form.
 - b. Exact locations, widths and bearings of any areas to be maintained as resource protection use (e.g., agriculture, natural parks, forest, etc.) to meet the requirements of the Critical Area Program and/or Forest Conservation Regulations, as applicable. The bearings and the lengths of all arcs, radii, tangents, chords, and distances in tabular form.
 - c. Locations, widths and bearings of any areas to be maintained as permanent wildlife and plant habitat protection areas to meet the requirements of the Critical Area Program

§4.2.14 requires Public Improvement Plans to have final technical prior to final plat approval.

Per §4.2.15 Public Works Agreements or subdivision agreements must be recorded prior to the Chief of the Development Plans Review Division of the Department of Land Use and Development Services signing the record plat. Inspection and Maintenance Agreements must

be recorded prior to the Chief of the Development Plans Review Division of the Department of Land Use and Development Services signing the record plat.

The following must be completed prior to Preliminary/Final Plat submittal to the Planning Commission:

1. Drafting corrections, per the Division of Water and Sewer Planning and the Division of Development Plans Review, being met
2. Critical Area Commission comments must be addressed, and Critical Area requirements must be met.
3. Approval of the Environmental Assessment (including Habitat Protection Plan) and Buffer Management plan.
4. The requirements of §4.1.21 must be met.
5. Corrections should be made to bring the Preliminary-Final plat into compliance with §4.1.20 and §4.2.13 prior to submission to the Planning Commission.

Planning & Zoning reminds the applicant that the deadline for the Planning Commission is the third Thursday of the month, for following month's meeting. If, after all these comments, there are substantial changes to address Critical Area requirements, the Preliminary/Final plat may need to be resubmitted to the TAC.

[1] Tier III – Areas that are not planned for sewerage service and not dominated by agricultural or forest land and are not planned or zoned for land, agricultural, or resource protection, preservation, or conservation. Tier III also include rural villages, locally designated growth areas, and areas planned for large lot development. The County may approve a major subdivision served by on-site sewage disposal systems, community systems, or a shared facility only if the Planning Commission recommends its approval and conducts a review that includes the cost of providing local government services to the residential subdivision and the potential environmental issues or natural resource inventory related to the proposed residential major subdivision.

[2] The date in which Subdivision Regulations take effect. All parcels that are legally recorded in the Land Records of Cecil County prior to that date are Lots of Record for subdivision purposes.

[3] Noted in NDS 13/41 as "Area to be conserved for wildlife corridor system.". 46.1984 acres in lots; 6.00 acres in street and dedicated Right of Way (ROW); 338.25 acre in "remaining area".

[4] Vernacular term used to describe parcel that meet the Original Lot definition but are not reflected in the 1976 tax maps

[5] The area for the concept plat was the 71.563 acres remaining from Deed Parcel #3, plus 4.08 acres from Deed Parcel #1. When reviewing the 1999 Concept Plat the calculations are 104.70 acres of Parcel 3 + 4.08 acres from Parcel 1 summed, then subtracting out the 33.14 acres intended to be conveyed to Franklin Estates for the 75.64-acre total.

- [6] Lot 9 on the Concept Sketch included the dwelling now known as 88 Welders Lane which prior to the construction of Welders Lane, the property address was 585 Bohemia Church Rd.
- [7] Prior to 1/1/2007 the maximum major subdivision density in the Southern Agricultural Residential zoning district was 1du/8ac. From 1/1/2007 to present it is 1du/20ac.
- [8] The Preliminary Plat approval extended the Concept Plat approval until 10/18/2001.
- [9] Final Plats do not have an expiration date, however the expiration date for the Concept and Preliminary Plats are still valid.
- [10] As stated at the 2/22/2000 Planning Commission meeting: "The dwelling 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] The project was allowed to expire in December 2010 and does not have any validity today.
- [12] This matches the property descriptions referenced in WLB 819/651.
- [13] 24 Welders Ln (Tax Map 58, Parcel 77, Lot 1); 50 Welders Ln (Tax Map 58, Parcel 77, Lot 2); 88 Welders Ln. (Tax Map 58, Parcel 77, Lot 3); 104 Welders Ln. (Tax Map 58, Parcel 77, Lot 3).
- [14] Principal structures on lots created after the adoption of the 2011 Zoning Ordinance shall setback from any right of way or road widening easement of collector or arterial roadways as defined on the Official County Roadway Classification map as follows – NAR, SAR, RR – 100 Feet: LDR, UR, ST – 50 feet.
- [15] Road Frontage may be reduced to lower figure for lots on a local roadway as defined on the Official Cecil County Roadway Classification Map.
- [16] Per Policy 2025-01 - OSDS Guidance Document #7 Memorandum
- [17] File #4136
- [18] *Disturbed* is defined as any activity occurring on an area which may result in the loss of or damage to existing natural vegetation)
- [19] Additional requirements for Environmental Assessments can be found in the Cecil County Zoning Ordinance, Appendix A.

[i] PRELIMINARY PLAT REQUIREMENTS:

1. The Preliminary Plat shall be submitted by the developer on paper and shall be clear and legible. The scale shall be no smaller than 1" = 100' (1" = 200' where the average lot size is greater than five (5) acres as approved by the Office of Planning and Zoning). When more than one (1) sheet is required, an index sheet of the same size shall be submitted showing the entire subdivision drawn to scale. Each sheet must have the surveyor's seal. Incomplete plats will not be accepted by the Office of Planning and Zoning. For Planning Commission review only, a Preliminary Plat will be not considered complete if the boundary line survey has not been completed, the Traffic Impact Study (if required) has not been completed, the documentation of the completed jurisdictional determination (if applicable) has not submitted, and the Preliminary Forest Conservation Plan has not been approved prior to submittal of said

Preliminary Plat (if in the Critical Area, a Preliminary Plat will not be considered complete unless the Preliminary Environmental Assessment has been approved prior to submission of said Preliminary Plat). In addition, for Technical Advisory Committee and Planning Commission review, a Preliminary Plat will be not considered complete if the public notification sign(s) have not been properly installed, if the electronic version of the plat has not been submitted for posting on the County's website, and if the submission fee, established in Appendix A, has not been paid. Incomplete Preliminary Plats will be returned to the subdivider within fifteen (15) days of submission for completion and resubmission by the subdivider at a later date.

2. A vicinity map indicating the location of the property with reference to surrounding property, streets, landmarks, streams, etc. (scale shall be no smaller than 1'=2000') and conforming to Section 2.4.4 on the designation of the remainder. The tax map, block (grid), parcel number(s) shall also be shown.
3. The names, liber and folio of all adjoining property. In the event that a recorded subdivision adjoins the land to be developed, the subdivision name, and recording reference shall be indicated. In the event that a historic district or other officially designated historic site adjoins the land to be developed, it shall be identified.
4. Title information:
5. Proposed name.
6. Scale of Plat (feet and meters).
7. Location by election district, County and State.
8. Date.
5. Name and address of the owner and registered engineer or surveyor licensed in the State of Maryland responsible for the preparation of the plat, signature, and seal of the engineer, surveyor and corporation required.
6. Northpoint. Indicate if true north.
7. Boundary of proposed subdivision.
8. All existing pertinent features either natural or manmade that may influence the design of the subdivision, such as important trees or wooded areas, power transmission towers, existing buildings and structures and water courses.
9. Existing topography at 2- or 5-ft contour intervals. Contour lines shall be indicated 100 ft beyond the subdivision boundary. Contours shall be based on government bench marks when available within 2000 ft of property or by estimation from USGS quadrangle maps. Data shall be stated in all cases and a reference or bench mark described on the plat together with elevation. Source of contours shall be stated on plat, such as, field run topo, or aerial topo, etc. Interpolation of contours from USGS quadrangle maps will not be accepted unless previously approved by OPZ.
10. Location, width, and names of all streets and/or alleys on or adjoining the subdivision; this should include plats which have preliminary approval as well as those recorded but unimproved and all existing easements (to be indicated with dashed lines).
11. Location of existing and proposed utilities on or within 200 ft of the tract with approximate pipe sizes and directions of slope indicated (should include electric and

telephone poles or towers).

12. The layout of all proposed and existing lots with approximate dimensions and minimum building line should be indicated. All major subdivisions must be provided with coordinates consistent with the geodetic control requirements approved by the Board of County Commissioners on 15 May 2007.
13. The preliminary layout of all proposed streets and pedestrian ways, including width of right-of-way, pavements, storm drains, and grades.
14. The approximate location, dimensions, and area of all property proposed to be reserved or temporarily reserved for public use, or to be reserved for use of all property owners in the subdivision, and the location, dimensions and purposes of any proposed easements, including drainage easements.
15. Zoning district classification of the tract or parcel being subdivided.
16. Existing and proposed (schematic) drainage system, including the type(s) of structures, the floodplain, proposed stormwater management facility locations, and any deviations from standards, consistent with Section 7.5.
17. Locations of the septic disposal area, proposed wells and percolation information are to be indicated in accordance with the specifications of the Maryland State Department of Health and Mental Hygiene when individual sanitary facilities are to be used. If community sewerage and/or water systems are to be used, such notation shall be made on the Preliminary Plat.
18. The total number of lots, area of lots, the density, the total area of any open space, the total area of any common open space, any add-ons, total area and types of right-of-way dedicated, and total area of subdivision shall be indicated in table form. All acreage shall be accounted for, per the boundary line survey, and the Preliminary Plat density shall not exceed the approved Concept Plat density.
19. In cases of condominium or multi-family projects (apartments, townhouses, etc.), the following additional items shall be shown:
 1. Approximate location of each building, setbacks from all streets (public or private), property lines and distance between buildings.
 2. Number and types of units in each building.
 3. Total number of Units and sub-totals of each type.
 4. Number of parking spaces in each off-street parking area, and the space to unit ratio.
20. Soil types shall be shown.
21. Perimeter of the entire parcel as well as the section requiring approval.
22. For proposed subdivisions located in the **Critical Area**, the following additional information will be shown on the Preliminary Plat as applicable:
 1. Computation of the total area within the critical Area District, area within each of the land management classifications (i.e., IDA, LDA, RCA), and number of lots in the Critical Area;
 2. Slopes 15% or greater;
 3. Location and area extent of all soils exhibiting the following characteristics as

determined by the Soil Survey, such as:

1. Wet soils,
2. Hydric soils and soils with hydric properties, and
3. Highly erodible soils (soils on slopes greater than 15% or on slope greater than 5 % with "K" values greater than 0.35).
4. Location of all existing or proposed site improvements (including storm drains, culverts, retaining walls, fences, and stormwater management facilities, as well as sediment and erosion control structures);
5. Location of open space, the Buffer and other buffer areas, forested areas and landscaping (the plan shall show all areas to be maintained as landscaping to be provided and the means by which such landscaping will be permanently maintained shall be specified);
6. Location of all Habitat Protection Areas on the site;
7. Location of tidal and non-tidal wetlands on and adjacent to the site and delineation of the watershed thereof;
8. Location of eroding shoreline reaches, the rates of erosion, areas where shore erosion measures are in place, areas to be protected by installation of proposed erosion abatement approaches;
9. Areas to be retained in agricultural use;
10. Areas proposed for reforestation and afforestation;
11. Total area of the site that will be temporarily disturbed during development and area that will be permanently disturbed (disturbed is defined as any activity occurring on an area which may result in the loss of or damage to existing natural vegetation).
12. Proposed natural park areas, as appropriate; and
13. The location of the Critical Area District Boundary, the Mean High Water Line and the landward edge of tidal wetlands.

In addition to the information above, the Preliminary Plan shall be accompanied by the following when the subdivision or development is proposed in the Critical Area, as required:

1. A Planting Plan reviewed by and addressing the comments of the Bay Watershed Forester;
2. A Habitat Protection Plan, including comments of the Maryland Forest, Park, and Wildlife Service, the Water Resources Administration, and other agencies as appropriate;
3. An executed Cooperators Agreement with the Cecil County Soil Conservation District, or a farm plan, as applicable;
4. A preliminary Stormwater Management Plan;
5. A preliminary Sediment and Erosion Control Plan;
6. A Shore Erosion Protection Plan – complete specification for complete shore erosion work;

7. Natural Park Management Plan, as appropriate; and
8. An Environmental Assessment, which provides a coherent statement of how the proposed development addresses the goals and objectives of the Cecil County Chesapeake Bay Critical Area Program. At a minimum, the Environmental Assessment shall include:
 9. A statement of existing conditions, e.g. amount and type of forest cover, amount and type of wetlands, discussion of existing agricultural activities on the site, soil types, topography, etc.;
 10. A discussion of the proposed development project, including number and type of residential units, amount of impervious surface, proposed sewer treatment and water supply, acreage devoted to development, proposed open space and habitat protection areas;
 11. A discussion of the proposed development's impacts on water quality and Habitat Protection Areas; and
 12. Documentation of all correspondence and findings.

[ii] FINAL PLAT REQUIREMENTS:

Required information: The Final Plat submitted for Planning Commission review and approval shall be on paper and be clear and legible. It shall not be considered complete unless the Stormwater Management Final Plan and Final Forest Conservation Plan and Landscape Plan have been approved, and all conditions of Preliminary Plat approval have been satisfied prior to submission of said Final Plat (if in the Critical Area, a Final Plat will not be considered complete unless the Environmental Assessment has been approved prior to submission of said Final Plat). Incomplete Final Plats will be returned to the subdivider within fifteen (15) days of submission for completion and resubmission by the subdivider at a later date, and the submission fees shall be forfeited. The Final Plat submitted for recordation shall be clearly and legibly drawn in black waterproof ink on a reproducible linen of good quality or comparable material such as mylar approved by the Cecil County Office of Planning and Zoning. The minimum size of the plat shall be eighteen (18) by twenty-four (24) inches, including a one (1) inch margin along the left hand edge and one-half (½) inch margin on all other sides. Where necessary, the Final Plat may be on several sheets accompanied by an index sheet showing the entire subdivision submitted; however, each sheet shall be signed and sealed and include an approval signature block.

1. Title – The title block shall appear in the lower right hand corner of the plat and shall include the following information:
 - 1. Name of the subdivision. The name approved by the Planning Department and recorded in the Land Records shall constitute the subdivision's official and only name. No other name may be used for advertising or sales purpose unless an approved and amended plat is recorded bearing the revised name.
 - 2. Section & lot numbers.

- 3. Scale and date of completion. Scale shall be no smaller than one (1) inch equals one hundred (100) feet (one (1) inch = two hundred (200) feet where the average lot size is greater than 5 acres, as approved by the Office of Planning and Zoning).
 - 4. County, State & Election District.
 - 5. Name and address of the owner and registered engineer or surveyor licensed in the State of Maryland responsible for the preparation of the plat, signature, and seal of the engineer, surveyor, and corporation required.
2. Approval blocks in the form required by the Office of Planning and Zoning shall be provided in the lower left hand corner of the plat for signature by the Planning Director, the Public Works Director or Senior Engineer, and the Health Department, approving authority.
 3. Tabulation on Final Plat (above approval block) showing the following:
 1. Total number of lots.
 2. Total area of lots.
 3. Total area of roadways to be recorded.
 4. Total area of subdivision to be recorded and where density restrictions apply, the acreage dedicated to the development, and the total area to be recorded as common open space.
 5. Total area of subdivision or parcels to be recorded in the Critical Area District.
 6. Total number of lots in the Critical Area District.
 7. Residential density in the Critical Area District.
 4. A heavy line indicating the boundary of the Final Plat with the distances of courses to hundredths of a foot and bearings relating to and consistent with the geodetic control requirements approved by the Board of County Commissioners on 15 May 2007.
 5. Exact locations, widths, bearings, and names of all streets, pedestrian ways within the subdivisions or of adjoining subdivision abutting on the outline of the subdivision as well as any common and community grounds.
 6. Bearings & lengths of all arcs, radii, tangents, chords and distances in tabular form.
 7. All easements, reservations, or rights-of-way provided for public service or utilities in the subdivision, and any limitations of such easements. All existing recorded easements, if they are in excess of a five (5) foot drainage and utility easement, shall be indicated with recording references if known.
 8. All lot lines with dimensions in feet and hundredths, and with bearings to a minimum accuracy of one (1) second.
 9. Minimum area of each lot in square feet if under one (1) acre or in acres if lot size is one (1) acre or greater.
 10. Coordinates shown for the outside boundary of the plat.
 11. Lot numbers in numerical order throughout the entire subdivision. In case there is a resubdivision of lots in any block, such resubdivided lots shall have a number and letter to denote their origin and the original lot lines shown dashed and original lot

number dotted.

12. Minimum rear and side building restriction lines, and minimum five (5) foot drainage and utility easements should be given by written note. The front building restriction line and the Critical Area Buffer restriction line shall be drawn graphically with dimensions for each lot.
13. The names, liber and folio of all adjoining unsubdivided property. In the event that a recorded subdivision adjoins the land to be developed, the subdivision name, and recording reference should be indicated. (To be indicated with dashed lines.)
14. The plat shall contain a north arrow, which represents and designates either true or magnetic meridian as of a date specified on the plat or shall be referenced to a recognized coordinate system within the County.
15. Accurate outlines of any areas to be reserved for common use by residents of the subdivision or general public use, with the purposes indicated thereon.
16. A certification that the owner or equitable owner of the land proposed to be subdivided shall be noted on the Final Plat. Such wording as specified by these regulations and the Planning Department shall be utilized.
17. A certification and dedication by the owner or owners of property to the effect that the subdivision as shown on the Final Plat is made with his consent and that it is desired to record the same and shall be noted on the Final Plat. Such wording as specified by these regulations and the Planning Department shall be utilized.
18. When a development is being resubdivided, the owner's certification shall be noted on the plat. Such wording as specified by these regulations and the Planning Department shall be utilized.
19. References of protective covenants governing the maintenance of undedicated public spaces or reservations.
20. If a community water supply or community sewerage system is to be used in a subdivision, the record plat shall contain a statement signed by the Health Department approving authority, to the effect that use of such community water supply or community sewerage system is in conformance with the Master Water and Sewer Plan. The Final (record) Plat shall also contain a statement, signed by the owner, that such facilities will be available to all lots offered for sale.
21. If a community water supply or community sewerage system is to be constructed to serve any new subdivision, the Final (record) Plat shall contain a statement signed by the owner to the effect that plans for such facilities, including any necessary point of discharge, have been approved by the appropriate Federal, State, or County authority.
22. Location of minimum required septic area and proposed well(s), if applicable.
23. Reservation of road rights-of-way.
24. Exact locations, widths and bearings of any common or reserved areas or portions of lots to be maintained by covenant, easement, or similar approved instrument, in permanent forest cover, including existing forested areas, reforested areas and afforested areas to meet the requirements of the Critical Area Program and/or the Forest Conservation Regulations, as applicable. The bearings and the lengths of all arcs, radii, tangents, chords, and distances in tabular form.

25. Exact locations, widths and bearings of any areas to be maintained as resource protection (e.g., agriculture, natural parks, forest, etc.) to meet the requirements of the Critical Area Program and/or the Forest Conservation Regulations, as applicable. The bearings and the lengths of all arcs, radii, tangents, chords, and distances in tabular form.
26. Exact locations, widths and bearings of any areas to be maintained as permanent wildlife and plant habitat protection areas to meet the requirements of the Critical Area Program and/or the Forest Conservation Regulations, as applicable. The bearings and the lengths of all arcs, radii, tangents, chords, and distances in tabular form.

The November TAC meeting ended at 10:17 a.m.

Respectfully submitted,



Jennifer Bakeoven
Administrative Assistant
Department of Land Use & Development Services
Division of Planning & Zoning