



**Monday, January 12, 2026**  
**Charles County Planning Commission Meeting**

**The meeting begins at 6:00 p.m.**

**This agenda is tentative and subject to change without notice.**

**A portion of this meeting may be held in Closed Session.**

**The Planning Commission will be holding this public meeting as a "Hybrid meeting" which means it will be both virtual and limited in-person. The public can watch this meeting on Comcast 95 (SD), Verizon FIOS 10, Roku or Apple TV streaming devices (Charles County Government), and the web at <https://www.charlescountymd.gov/services/media-services/charles-county-government-television/ccgtv-live-stream>. Residents without internet service can listen to the meeting at 301-645-0500.**

**1. Call to Order/Roll Call**

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**2. APPROVAL OF THE AGENDA - no public comments**

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**3. APPROVAL OF THE MINUTES**

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**4. CHAIRPERSON'S COMMENTS - no public comments**

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**5. PERSONAL APPEARANCES (items not on the agenda): PUBLIC COMMENTS**

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**6. PUBLIC HEARING: PUBLIC COMMENTS**

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**6.a Liberty Bell, PSP-250001**

The Applicant is requesting approval of a Preliminary Subdivision Plan known as Liberty Bell, PSP-250001 consisting of five (5) single-family detached homes. The Applicant is also requesting approval of a modification from Section 278-80B (1) of the Subdivision Regulations, in accordance with Section 278-104 ("Mod104"). Section 278-80B(1) requires that new lots provided on a private right-of-way be greater than three acres in size, unless using the cluster provisions of the RC, WCD and AC zones. If approved, this Mod104 would permit the 5 proposed 1-acre lots to be served by a private drive.

The Conceptual Subdivision Plan for this project was presented to the Planning Commission on September 16, 2024.

**Applicant (Agent):**

Sandy Ruiz Development, LLC (Lorenzi, Dodds & Gunnill, Inc.)

**Staff:**

Melissa Hively, Planner II

## Public Participation:

The Meeting is open to the public and may be attended in person or viewed on [CCGTV](#) (Comcast: 95 and Verizon FIOS: 10).

Written Public Comments can be submitted online by using the webform located [HERE](#). Written comments must be received by **4:30 p.m. on Friday, January 9, 2026** in order to allow the Planning Commission time to review them prior to the Meeting. Written comments received after this time and before the closing of the record will be included in the record, but are not guaranteed to be reviewed.

Those wishing to provide comments by speaking during the Public Comment portion of the Meeting may choose to either speak virtually or attend the Meeting in person. Virtual speaker registration forms can be submitted online by using the webform located [HERE](#). Virtual speaker registration forms must be received by **4:30 p.m. on Friday, January 9, 2026**.

[Staff Report](#)  
[Location Map](#)  
[Zoning Map](#)  
[Aerial Map](#)  
[Response to Public Comments Letter](#)  
[Cost of Local Services](#)  
[Natural Resources inventory](#)  
[Preliminary Subdivision Plan](#)  
[Mod104 Request](#)

## 7. PUBLIC MEETING: PUBLIC COMMENTS

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### 7.a Cedar Ridge, CSP-250001

**Application:** The Lorenzi, Dodds, and Gunnill Inc. is requesting review of a Conceptual Subdivision Plan for a Major Subdivision in accordance with the Charles County Subdivision Regulations, Section 298-23, Major subdivision applications review stages. Cedar Ridge, CSP-250001 is a Conceptual Subdivision Plan that proposes a residential development of approximately thirty-three (33) single-family homes on 63.61 acres zoned Rural Residential (RR) off Charles Street in La Plata, Maryland.

**Notification:** The Applicant is required to provide notice of the Public Meeting, via certified mail, to the property owners of properties within 200 feet of the proposed site. The Applicant is also required to post the property with signs advertising the Public Meeting. One sign on the side of the property that abuts a public or private road is required, and two signs are required for properties with a street frontage of more than 200 feet. In this instance, the signs shall be posted as to be faced in opposite directions so as to be visible by the public and traffic traveling in either direction parallel to the street frontage.

**Planning Commission Action:** The Planning Commission does not take action on Conceptual Subdivision Plans. The primary purpose of the Public Meeting is to acquire public input on the conceptual subdivision. In accordance with § 278-251 of the Subdivision Regulations, a list of comments and concerns as articulated at the Public Meeting will be prepared and presented by PGM staff to the Applicant, to which a response is required from the Applicant as part of their future application of a Preliminary Subdivision Plan.



**Applicant (Agent):**

Mausen Homes, LLC. (Lorenzi, Dodds & Gunnill Inc.)

**Staff:**

Hunter Zinn, Planner I

**Public Participation:**

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[Memo to the Planning Commission](#)  
[Conceptual Subdivision Plan](#)  
[Cedar Ridge\\_CSP250001\\_Location Map](#)  
[Cedar Ridge\\_CSP250001\\_Zoning Map](#)  
[Cedar Ridge\\_CSP250001\\_Aerial Map](#)  
[Cedar Ridge\\_CSP250001\\_Adj Property Map](#)  
[Letter of Notification Cedar Ridge](#)

**8. WORK SESSIONS: No Public Comments**

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**9. UNFINISHED BUSINESS: No Public Comments**

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**10. NEW BUSINESS: No Public Comments**

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10.a Poll of the Planning Commission members for new business.

10.b Briefing: Review of the Fiscal Year 2027-31 Requested Capital Improvement Program

**11. DIRECTOR'S REPORT: No Public Comments**

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**12. ADJOURNMENT**

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**13. VIRTUAL MEETING INFORMATION**

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**14. Signed Minutes**

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# Item Cover Page

## PLANNING COMMISSION AGENDA ITEM REPORT

**DATE:** January 12, 2026

**SUBMITTED BY:** Amy Brackett

**ITEM TYPE:** Approval Item(s)

**AGENDA SECTION:** PUBLIC HEARING: PUBLIC COMMENTS

**SUBJECT:** **Liberty Bell, PSP-250001**

The Applicant is requesting approval of a Preliminary Subdivision Plan known as Liberty Bell, PSP-250001 consisting of five (5) single-family detached homes. The Applicant is also requesting approval of a modification from Section 278-80B (1) of the Subdivision Regulations, in accordance with Section 278-104 (“Mod104”). Section 278-80B(1) requires that new lots provided on a private right-of-way be greater than three acres in size, unless using the cluster provisions of the RC, WCD and AC zones. If approved, this Mod104 would permit the 5 proposed 1-acre lots to be served by a private drive.

The Conceptual Subdivision Plan for this project was presented to the Planning Commission on September 16, 2024.

**Applicant (Agent):**

Sandy Ruiz Development, LLC (Lorenzi, Dodds & Gunnill, Inc.)

**Staff:**

Melissa Hively, Planner II

**Public Participation:**

The Meeting is open to the public and may be attended in person or viewed on [CCGTV](#) (Comcast: 95 and Verizon FIOS: 10).

Written Public Comments can be submitted online by using the webform located [HERE](#). Written comments must be received by **4:30**

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**SUGGESTED ACTION:**

**ATTACHMENTS:**

[Staff Report](#)  
[Location Map](#)  
[Zoning Map](#)  
[Aerial Map](#)  
[Response to Public Comments Letter](#)  
[Cost of Local Services](#)  
[Natural Resources inventory](#)  
[Preliminary Subdivision Plan](#)  
[Mod104 Request](#)



# **Charles County Planning Commission Meeting of January 12, 2026**

## **Department of Planning and Growth Management Staff Report**

**Project Name & Number: Liberty Bell  
PSP-250001**

**Type of Project: Preliminary Subdivision Plan & Request for Modification  
from Section 278-80B(1)**

**Presented by Melissa Hively, Planning Division**  
**For questions, please contact the Planning Division at 301-638-2409**

### **TABLE OF CONTENTS**

<u>ITEM</u>	<u>PAGE NUMBER</u>
I. Project & Applicant Information	2
II. Environmental, Historical & Archeological Information	4
III. Project Consistency, Impacts and Findings	11
IV. Conclusions & Recommendations	14
V. Appendices:	Attached & <a href="#">Online</a>
a. Location Map, Zoning Map, Aerial Map	
b. Applicant Response to CSP Public Comments	
c. Cost of Local Services Assessment	
d. Natural Resources Inventory	
e. Proposed Preliminary Subdivision Plan, Liberty Bell, PSP- 250001	
f. Applicant's Modification Request Dated July 11, 2025 (Updated October 28, 2025)	

**I. Project & Applicant Information:**

**A. Project Name:** Liberty Bell

Owner: Sandy Ruiz Development, LLC  
Developer/Applicant: Sandy Ruiz Development, LLC  
Consultant: Lorenzi, Dodds & Gunnill, Inc. (Tim Lessner)

**B. Project Number:** PSP-250001

**C. Subject Property:** The Preliminary Subdivision Plan (the “Plan”) for Liberty Bell includes approximately 5.667 acres on Ranstead Place at the intersection of Smallwood Church Road and Mason Springs Road (MD 425), known as Parcel 175, Lot 4 found on Tax Map 41, in the 3<sup>rd</sup> election district. Location, Zoning, and Aerial maps of the property area are attached and are available online.

**D. Land Use & Zoning Category:** The subject property is zoned CV - Village Commercial. The entire property is located outside of the Development District and approximately half of the property is located within the Priority Funding Area. The Property is located within Tier 3 on the “*Sustainable Growth and Agricultural Preservation Act Tier Area Designations Map*” most recently updated on July 12, 2016. The proposed development is intended for a residential use.

**E. General Description of the Request:** The Applicant is requesting approval of a Preliminary Subdivision Plan known as Liberty Bell, PSP-250001 consisting of five (5) single-family detached homes. The Applicant is also requesting approval of a modification from Section 278-80B(1) of the Subdivision Regulations, in accordance with Section 278-104 (“Mod104”). Section 278-80B(1) requires that new lots provided on a private right-of-way be greater than three acres in size, unless using the cluster provisions of the RC, WCD and AC zones. If approved, this Mod104 would permit the 5 proposed 1-acre lots to be served by a private drive.

**F. Background-Previous Applications:**

1. Conceptual Subdivision Plan:

- a. Section 278-25A of the Subdivision Regulations states in part: **“Only after presentation of the conceptual subdivision plan to the Planning Commission may the applicant submit the more detailed preliminary subdivision plan for consideration.”**

**Staff Comment:** The Liberty Bell Conceptual Subdivision Plan (CSP) was presented to the Planning Commission at their September 16, 2024 meeting.

- b. Section 278-25I(1) of the Subdivision Regulations states in part: **“Any conceptual subdivision plan shall be valid for no more than a one-year period from the date authorized to proceed by the Planning Commission, during which time the applicant must submit a preliminary subdivision plan application to keep the project active.”**

**Staff Comment:** The Applicant submitted the Preliminary Subdivision Plan for Liberty Bell on January 23, 2025, which is within the one-year period permitted.

2. Other approvals: A permit has been issued to construct Ranstead Place, which addresses the associated Stormwater Management requirements.

## **II. Consistency with the Sustainable Growth and Agricultural Preservation Act of 2012**

This project is located in Growth Tier III of the adopted County Tier Map. In accordance with § 5-104 items (c), (d), (e) and (f) of the Land Use Article, the Planning Commission may review the plan subject to the following:

1. (c) Review by planning board. -- If a local jurisdiction establishes the growth tiers under Title 1, Subtitle 5 of this article, a residential major subdivision in a Tier III area may not be approved unless the planning board has reviewed and recommended the approval of the major subdivision in the Tier III area.

**Staff Findings:** The Plan is being presented for review and approval by the Planning Commission.

2. (d) Public hearing required. --
  - (1) Before recommending the approval of a proposed major subdivision in a Tier III area, the planning board shall hold at least one public hearing.
  - (2) The planning board shall conduct the public hearing in accordance with its rules and procedures.

**Staff Findings:** Section 25H of the Charles County Subdivision Regulations states, in part, “Advertisements, notifications, and materials to be prepared by staff are to be consistent with all applicable regulatory provisions and controlled by the Planning Commission Rules of Practice and Procedures... Projects located within Tier III designated areas on the adopted Tier Map shall be reviewed at a public hearing and include additional information regarding costs of providing public services for the project and potential environmental

issues or a natural resources inventory data in accordance with Senate Bill 236, The Sustainable Growth and Agricultural Preservation Act of 2012.”

The Hearing has been advertised in accordance with Planning Commission Rules of Practice and Procedures for Public Hearings as well as the Land Use Article. The Hearing was advertised on December 26, 2025 and January 2, 2026 in the Southern Maryland News, a newspaper of general circulation in the local jurisdiction. In accordance with County standards, property owners within 200’ of the Liberty Bell subdivision were notified by the Applicant, by certified mail, of the Project a minimum of two (2) weeks prior to the meeting. The property was posted by the Applicant with signage designed by the County advertising the date and time of the Hearing.

3. (e) Scope of review. -- The review of a residential major subdivision by the planning board shall include:
  - (1) the cost of providing local governmental services to the residential major subdivision unless a local jurisdiction's adequate public facilities law already requires a review of government services; and
  - (2) the potential environmental issues or a natural resources inventory related to the proposed residential major subdivision.

**Staff Findings:** The Implementation Guidance for The Sustainable Growth and Agricultural Preservation Act of 2012 Senate Bill 236 dated August 1, 2012, Version 2.0, advises: “In its review of the residential major subdivision within Tier III, the planning board must consider the cost of services to the major subdivision and the potential environmental issues or a natural resources inventory related to the proposed subdivision. Local jurisdictions define which cost of services to consider. Standard public costs to consider include impacts to roads, sewer and schools necessary to accommodate the new development.”

#### 1) Cost of Providing Local Government Services

A Cost of Local Services Assessment is attached. This report is similar to the Fiscal & Economic Impact reports required for rezoning cases.

The Applicant is estimating that the County would gain approximately \$39,952 in yearly revenues. The Applicant assumes an average home sales price of \$490,300. The Applicant is estimating that the development will increase County expenditures by approximately \$38,945 per fiscal year.

In total, the Applicant is estimating that the development will generate a net positive annual return of \$7.00.



The Cost of Local Services Assessment has been provided to the Department of Fiscal and Administrative Services (FAS) staff for concurrence.

## 2) Natural Resources Inventory

A Natural Resource Inventory Document that includes the approved Forest Stand Delineation and Final Forest Conservation Plans, as well as the Maryland Department of Natural Resources review letter which considers the potential environmental issues and provides a natural resources inventory for the Liberty Bell subdivision, is attached for the Planning Commission's consideration.

**Staff Findings:** Neither the State legislation nor the Implementation Guidance Manual offer any criteria for reviewing the environmental component of the legislation.

4. (f) Resolution. -- The planning board shall recommend the proposed residential major subdivision by resolution of the planning board.

**Staff Findings:** Staff will prepare a Resolution after Planning Commission action.

**III. Subdivision Regulations, Section 278-104:** As noted above, the Applicant is requesting approval of a modification from Section 278-80B(1) of the Subdivision Regulations. Section 278-80B(1) requires that new lots provided on a private right-of-way be greater than three acres in size, unless using the cluster provisions of the RC, WCD and AC zones. The minimum standards for the subject request are found in the Subdivision Regulations, Section 278-104, Modifications and Variations from Subdivision Regulations, A-C. The principal issue is whether the request meets and is consistent with the requirements of these regulations, which are outlined below.

1. 278-104A: Modification of requirements. The Planning Commission may request a report presenting staff review and analysis from the Department of Planning and Growth Management or other appropriate agencies in order to evaluate a request to modify or waive any requirement or procedure as stated in these regulations.

**Staff Comment:** This report is being submitted and contains staff review and analysis from the Department of Planning and Growth Management for evaluation by the Planning Commission.

2. 278-104B: Approval Requirements for Modifications. The Planning Commission may grant modifications from the strict application of these

regulations when, by reason of exceptional narrowness, shallowness, or shape of specific parcels of property or by reason of exceptional topographical conditions or other extraordinary situations or conditions of specific parcels of property, the strict application of these regulations would result in peculiar and unusual practical difficulties to, or exceptional or undue hardship upon, the owner of said property. However, the Planning Commission shall not grant modifications that will substantially impair the intent, purpose, and integrity of these regulations, or any County ordinance.

**Staff Comment:** The peculiar shape of the Liberty Bell parent parcel is not self-created. Due to the shape of the parcel, Staff feels that the approval of this Modification to the Subdivision Regulations aligns with the purpose of these regulations, or any County ordinance.

3. 278-104C: Burden of proof for modification requests. In addition to those general findings required in Subsection B above, modification requests shall not be granted unless the applicant has demonstrated that the following criteria are met:

- (1) That special conditions or circumstances exist that are unique to the subject property or structure and that a strict enforcement of the provisions of these regulations would result in unwarranted hardship which is not generally shared by owners of property in the same land use classification.

**Per the Applicant:** *CV zoned property permits one (1) acre lots per Figure VI-3 of the Charles County Zoning Ordinance. The Applicant purchased the Property with this in mind. The Applicant proposed and submitted Concept Plan (CSP 240002), which was reviewed by PGM, appeared on the Planning Commission Agenda and commented on by members of the public on September 12, 2024. The Subdivision Regulations Section 80(B) was not an issue and density, or size of the lots, was never mentioned by the public. It should also be noted that Smallwood Church Road is designated as a minor collector (per road ordinance) and Mason Springs Road (RT 425) is a major collector. As per section 79(A) of the Subdivision Regulations, individual driveway access points should be limited if other options are possible. Section 79(A) states:*

*“Driveway Access to arterial and collectors not permitted. Driveway access may not be provided from lots within a major subdivision to a parkway or arterial road. Driveway access to collector roads for any subdivision may also be limited or prohibited based on the amount of traffic carried and the function of the road within the local road network.*

*Where driveway access from a major subdivision to any road classified as a collector road or greater, the Planning Commission may require that such lots be served by a shared access driveway in order to limit possible traffic hazard on such road. The developer is responsible for demonstrating that an alternative access route cannot be used for that lot.”*

*As stated above, the Planning Commission should promote the use of private/ shared access to residential lots.*

*There are several other existing subdivisions in Charles County with one (1) acre lots on a private road. Examples of this are:*

- a) Keswick (PB 62 PN 492) Hutton Place Lots 67 and 68*
- b) Turtle Creek (PB 60 PN 309) Musk Turtle Place Lots 37A, 37B, 37C*
- c) Carriage Crossing (PB 3651 PN 171) Rosecroft Place Lots 98A, 99A, 100A, 101A, 102A, 103A*
- d) Eastern Hills (PB 52 PN 294) Peak Run Place Lots 21, 22, 23, 24, 25, 26*
- e) Belmont (PB 60 PN 425) Olivia Floyd Place Lots 118, 12, 13, 14, 15*
- f) Hunter Springs (PB 60 PN 585) Pheasant Creek Place Lots 15A, 16A, 17A*

*To deprive this landowner of one (1) acre lots on a private drive would be unfair as this is obviously a common practice shared by many others in Charles County. None of the provided examples have required a Section 104 Variance for this type of Land Development. It should also be noted that if a public road was proposed to service these lots, the lot size would be reduced and would not meet the minimum lot size in CV zone.*

**Staff Finding:** Staff notes for the record that the majority of the examples provided by the Applicant in their justification were not subject to Section 80B due to those projects being Cluster Subdivisions located in the AC Zone; however, Staff acknowledges similarities in the character of the neighborhoods and surrounding areas, as the subject development is proposing minimum 1-acre (43,560 square feet) lots and the minimum lot size for a Cluster Subdivision in the AC zone is 40,000 square feet. Staff finds that the strict enforcement of the provisions of §278-80B would result in unwarranted hardship which is not generally shared by owners of property in the same land use classification (Rural Residential District and Rural Conservation District pursuant to Figure 3-1, Land Use Map, Charles County Comprehensive Plan).

- (2) That strict enforcement of the provisions of these regulations would deprive the property owner of rights commonly shared by other owners of property in the area.

**Per the Applicant:** *As listed above, strict application of the Subdivision Regulations would deprive the Applicant's right to subdivide lots as proposed on the Property. The foregoing are rights commonly shared by other owners of property in Charles County in the surrounding area.*

**Staff Finding:** Staff notes for the record that the examples provided by the Applicant in their justification are not located in the surrounding area to Liberty Bell; however, Staff acknowledges similarities in the character of the neighborhoods and surrounding areas. Staff finds that strict enforcement of the provisions of these regulations would deprive the property owner of rights commonly shared by other owners of property in the area.

- (3) That the granting of a modification will not confer upon the applicant any special privilege that would be denied to other owners of like property and/or structures within the same zone/land use classification.

**Per the Applicant:** *The Applicant does not seek the variance for economic gain or for commercial purposes. In fact, the Applicant's intended use of the Property is much less intrusive than the potential use of the Property for commercial development. The Applicant gains no advantage from the variance other than the right to subdivide homesites into residential lots. Thus preserving the rural nature of the Property. Additionally, there are residential lots throughout Charles County located on private drives and rights-of-way. It is clear that Section 80(b) of the Subdivision Regulations, preventing the use of a private road for lots smaller than 3 acres, was not intended to address the situation presented in this case. In fact, a strict application of Section 80(b) would have the unintended result of hindering the Applicant's intended use of the Property. Section 80(b) was obviously not intended to have such results. Further, based on the examples listed above, there are many subdivisions within the County that contain lots smaller in size than three (3) acres which are served by private roads. Accordingly, the granting of this Section 104 Variance will not confer upon the Applicant any special privilege denied of other owners of like property within the same zone/land use classification.*

**Staff Finding:** Staff finds that the granting of a modification will not confer upon the Applicant any special privilege that would be denied to

other owners of like property and/or structures within the same zone/land use classification.

- (4) That the modification request is not based upon circumstances which are self-created or self-imposed.

**Per the Applicant:** *All of the examples listed above are similar in lot sizes with private drive. None of the examples have been required to acquire a Section 104 Variance. All of the examples are currently existing with private roads/joint use access easements. All have a homeowners association to ensure the common maintenance. Liberty Bell will be designed similar. However Liberty Bell will have a Cul-de- sac for vehicle turn around, which the examples listed do not.*

**Staff Finding:** Staff notes for the record that the majority of the examples provided by the Applicant in their justification were not subject to Section 80B due to those projects being Cluster Subdivisions located in the AC Zone; however, Staff acknowledges that the neighborhoods share a similarity in design and function. Staff finds that the modification request is not based upon circumstances which are self-created or self-imposed.

- (5) That greater profitability or lack of knowledge of the restrictions shall not be considered as sufficient justification for a modification.

**Per the Applicant:** *As stated above, greater profitability is not a motivation for the Applicant's request in this case. In addition, the Applicant does not argue "lack of knowledge" of the restrictions of Section 80(b) of the Subdivision Regulations. It is recognized that the Applicant intends to "profit" from the sale of lots within this subdivision, once the subdivision is approved and recorded. However, under applicable law, the fact that the Applicant will derive an economic benefit from the Project, does not demonstrate a situation of "greater profitability" as a "motivation" for a variance request, it being understood that most, if not all, land use proposals are intended to result in economic gain.*

**Staff Finding:** Staff finds that greater profitability or lack of knowledge of the restrictions are not a justification for the Modification.

- (6) That the proposed modification is consistent with the Charles County Comprehensive Plan.

**Per the Applicant:** *The Applicant's proposed use of the Property will maintain the rural nature of this parcel. The Applicant's proposed use will also prevent a much more intrusive commercial development on the Property. The Property is located in a TIER 3 and an Agricultural Conservation District, as denoted on the Charles County Comprehensive Plan. This Application if granted will help promote the efficient use of land resources within the County and will help provide a variety of housing choices for persons within the County who may not choose to reside in a designated development district. Moreover, this Application will promote the health, safety and welfare of the citizens of Charles County, by allowing for safe and efficient access to the public roads that surround this proposed subdivision, minimizing access points and thereby promoting traffic safety. The use of a private drive rather than a public road will create a lesser environmental impact and the county government will not be responsible for maintaining of said private drive.*

**Staff Finding:** Staff finds that the use of a private drive rather than a public road will minimize the impacts of the development on the natural environment, consistent with Natural Resource Policy recommendation 5.5 of the Charles County Comprehensive Plan.

#### **IV. Environmental, Historical & Archeological Information:**

##### **A. Environmental Information, Resources, Watershed:**

1. Sustainable Growth and Agricultural Preservation (SGAP) Act of 2012 (the "septic bill"): Liberty Bell is within Tier 3 per the SGAP Act Tier Area Designations map approved by the County Commissioners July 12, 2016. Because this project is within the Tier 3 area, a Natural Resources Inventory is required. The Natural Resource Inventory documents and includes the approved Forest Stand Delineation and Final Forest Conservation Plans, as well as the Maryland Department of Natural Resources review letter, which considers potential environmental issues and provides a natural resources inventory for the Liberty Bell subdivision. A copy is attached for the Planning Commission's consideration.
2. Forest Conservation: This project is subject to Forest Conservation requirements. A Forest Stand Delineation and the Preliminary Forest Conservation Plan were approved on April 11, 2006. An existing Forest Conservation easement of 1.12 acres is recorded onsite and recorded at liber 5926, folio 137.

3. Watershed: This project is located within the Nanjemoy Creek Watershed. This project is also located within a Tier II watershed with Assimilative Capacity Remaining.
4. Habitat Protection Plan: During the review of the Final Forest Conservation Plan (2005-2006), a Maryland Department of Natural Resources (MD DNR) letter was received to indicate that there were no State or Federal records for rare, threatened, or endangered species within the boundaries of the project site. Additionally, the Applicant received an MD DNR review letter dated July 25, 2022. The letter still indicates no official records for State or Federal listed, candidates, proposed, or rare plant or animal species within the project area. Therefore, no Habitat Protection Plan was required for this project.
5. Resource Protection Zone (RPZ): There are no streams on or near the project site; therefore, the RPZ is not applicable to this project.

**B. Historic & Archeological:** No archeological study is recommended due to the low potential for archaeological resources.

**V. Project Consistency, Impacts, and Findings:**

**A. Adequate Public Facilities (APF) - (Zoning Ordinance § 297-257):**

The following provides a review of impacts and findings for applicable public facilities:

1. APF-Roads: A Preliminary Adequate Public Facilities (PAPF) application was filed by the Applicant to determine whether a Traffic Impact Study (TIS) was required. Because the Project was projected to generate fewer than 35 peak hour trips, a TIS was not required in accordance with § 297-257B.
2. APF-Schools: The Project will be placed on the School Allocation Waiting List upon approval of the Preliminary Subdivision Plan.
3. APF-Water Supply: The Project will be utilizing private well and septic systems.
4. APF-Fire Suppression: Section 297-261 has been satisfied because the Project is located within four (4) round-trip miles driving distance of an existing approved water source (Stinnett's Gravel Pit #119 and Marbury Pisgah Road #120).

**Staff Finding:** Staff finds that the proposed Preliminary Subdivision Plan will not adversely affect the adequacy of public facilities, as specified in Article XVI of the Charles County Zoning Ordinance.



**B. Right of Way and Road Frontage Improvements Per Subdivision Regulations § 278-75:**

Section 278-75 of the Charles County Subdivision Regulations is not applicable. The Project fronts on County-owned roadway, Smallwood Church Road, that has already obtained the required ultimate ROW in accordance with County standards.

**C. Secondary Access - Subdivision Regulations § 278-74C:**

Section 278-74C of the Charles County Subdivision Regulations is not applicable due to the Project generating fewer than 1,000 vehicle trips per day.

**D. Consistency with the Comprehensive Plan:**

The 2016 Charles County Comprehensive Plan establishes goals for the rate and location of growth. In order to implement these goals, it is necessary to track housing development throughout the year. The following information provides guidance for such and is not regulatory:

- Maximum Growth Goal = 1% per year (2016 Comprehensive Plan)
- Population Estimate = 171,973 (current United States Census Bureau estimate, July 1, 2023 for Charles County, Maryland)
- 1% growth projection = 1,720 people (1% maximum growth goal x 171,973 population)
- Persons per household = 2.8 (United States Census Bureau)
- Total number of housing units based on 1% growth for a one-year period = 614 (1,720 people ÷ 2.8 persons per household).

2016 Charles County Comprehensive Plan Housing Goals Analysis based on Preliminary Subdivision Plans approved in 2026 to date:

<b>Dwelling Unit Type</b>	<b>Cumulative Total to Date</b>	<b>Proposed with Liberty Bell</b>	<b>Proposed Cumulative Total</b>	<b>2016 Comprehensive Plan Housing Policy 10.3</b>
Single Family Units	0	5	5	491/year (80% of 614)
Townhouse Units	0	0	0	92/year (15% of 614)
Apartments	0	0	0	31/year (5% of 614)

Development District	Cumulative Total to Date	Proposed with Liberty Bell	Proposed Cumulative Total	2016 Comprehensive Plan Land Use Goal 3.2
In	0	0	0	460.50/year (75% of 614)
Out	0	5	5	153.50/year (25% of 614)

**Staff Finding:** Based on Preliminary Subdivision Plans approved in 2026 to date, the Project will not contribute to exceeding yearly goals for total development inside or outside of the Development District, as set forth in the 2016 Charles County Comprehensive Plan.

#### **E. Consistency with the Zoning Ordinance:**

1. Building Restriction Lines and Lot Sizes: Building Restriction Lines (BRLs) and lot sizes for residential uses in the CV - Village Commercial zone are set forth by the Zoning Ordinance, Figure VI-3, Schedule of Zone Regulations: Village Zones. For residential uses in the CV Zone, Figure VI-3 requires a minimum lot area of 1 acre, a front setback of 30', a side setback of 6', and a rear setback of 10'.

**Staff Finding:** The proposed Building Restriction Lines (BRLs) and lot sizes shown on the Plan for the building lots are consistent with the requirements of the Zoning Ordinance.

2. Open Space: Open Space for residential uses in the CV - Village Commercial zone is set forth by the Zoning Ordinance, Figure VI-3, Schedule of Zone Regulations: Village Zones.

**Staff Finding:** In accordance with the Zoning Ordinance, Figure VI-3: Schedule of Zone Regulations: Village Zones, a conventional development in the CV - Village Commercial zone is not required to provide open space.

#### **F. Consistency with Other Codes – Stormwater Management:**

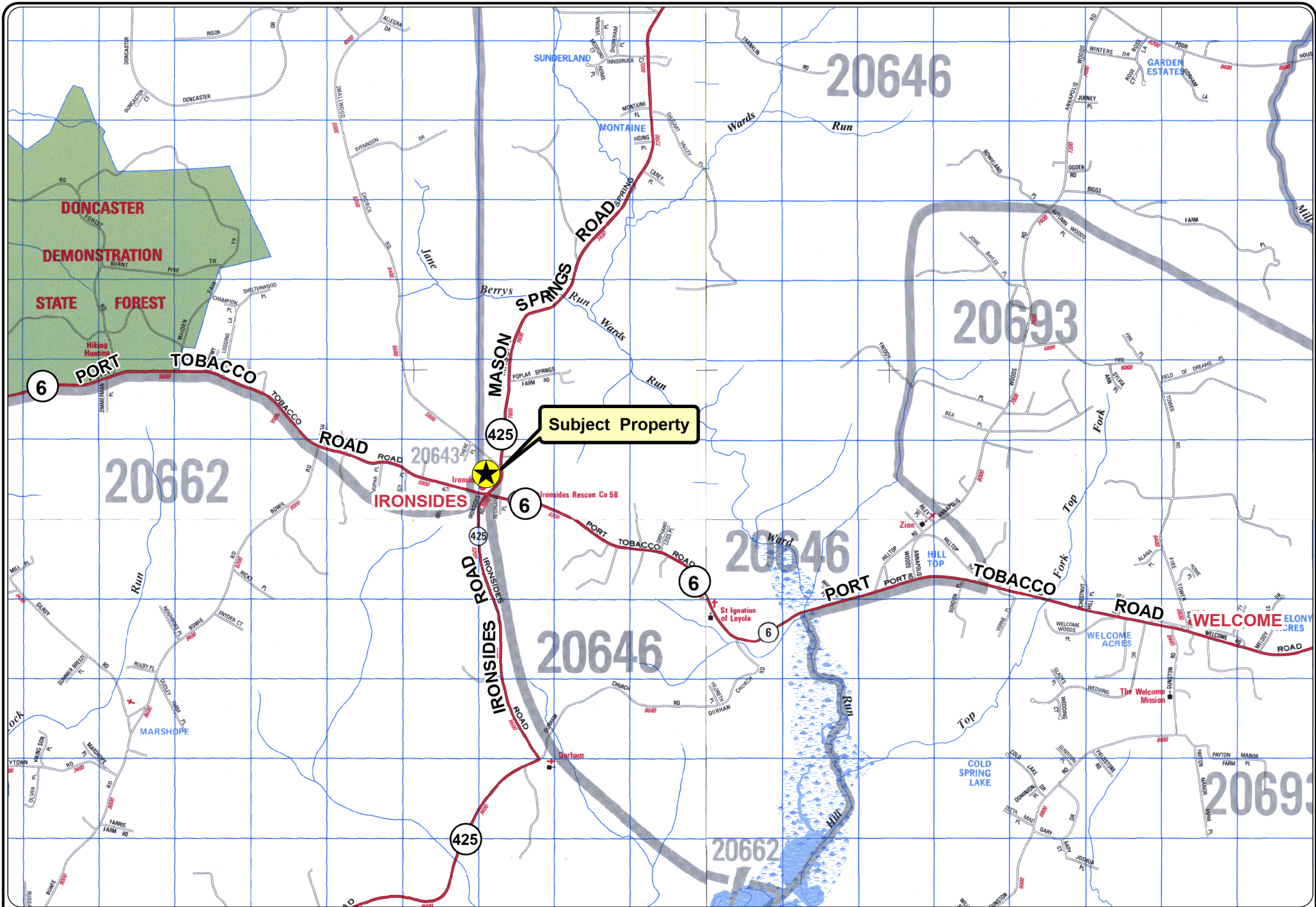
A "Step 1" Concept Stormwater Management (SWM) Plan was not required for the Project. However, stormwater management for Ranstead Place was reviewed and approved under permit RESD-221198.

## **VI. Conclusions & Recommendations:**

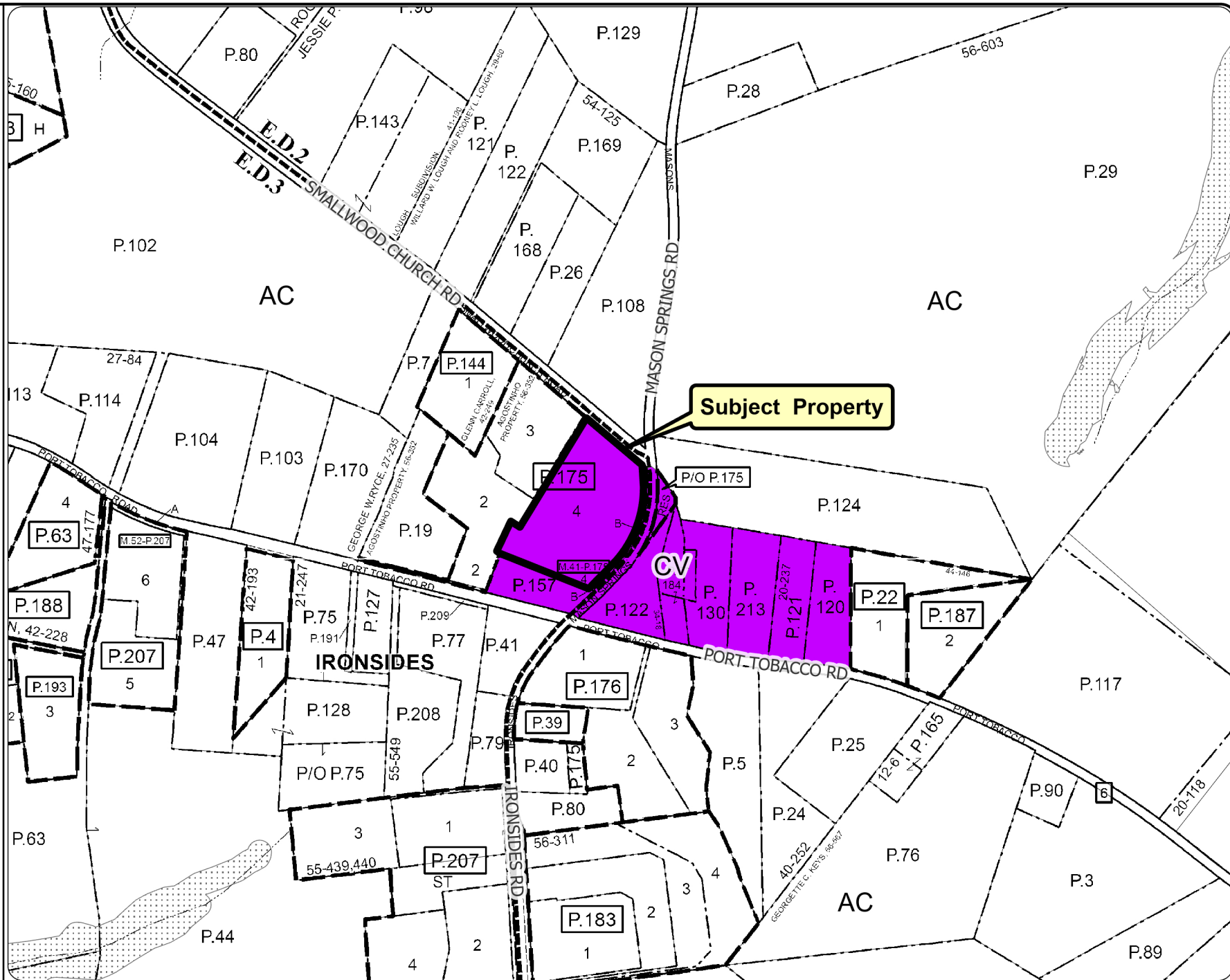
Based on the analysis and findings contained in this Staff Report, staff recommends approval of the Request for a Modification from Section 80B per Section 104 of the Subdivision Regulations (“Mod104”) and the Preliminary Subdivision Plan subject to the following conditions:

1. Approval of this Preliminary Subdivision Plan is contingent upon the Planning Commission approving the proposed Modification per Section 104 (“Mod104”) of Section 278-80B(1) of the Subdivision Regulations.
2. General Note #21 must be updated on the final copy of the plan to reflect the Planning Commission’s approval of the Mod104.

## **VII. Appendices**



AC
AGRICULTURAL CONSERVATION
RC
RURAL CONSERVATION
WCD
WATERSHED CONSERVATION DISTRICT
RR
RURAL RESIDENTIAL
RV
VILLAGE RESIDENTIAL
RL
LOW DENSITY SUBURBAN RESIDENTIAL
RM
MEDIUM DENSITY SUBURBAN RESIDENTIAL
RH
HIGH DENSITY SUBURBAN RESIDENTIAL
RO
RESIDENTIAL / OFFICE
CER
CORE DEVELOPMENT / RESIDENTIAL
CMR
CORE MIXED RESIDENTIAL
CRR
CORE RETAIL RESIDENTIAL
CN
NEIGHBORHOOD COMMERCIAL
CC
COMMUNITY COMMERCIAL
CB
CENTRAL BUSINESS
CV
VILLAGE COMMERCIAL
BP
BUSINESS PARK
IG
LIGHT INDUSTRIAL
IH
HEAVY INDUSTRIAL
AUC
ACTON URBAN CENTER
WC
WALDORF CENTRAL
OVERLAY ZONES
-----
HIGHWAY CORRIDOR
-----
RESOURCE PROTECTION
-----
CRITICAL AREA BOUNDARY
FLOATING ZONES
PRD
PLANNED RESIDENTIAL DEVELOPMENT
PMH
PLANNED MOBILE HOME PARK
PEP
PLANNED EMPLOYMENT/INDUSTRIAL PARK
MX
PLANNED MIX USE
PUD
PLANNED UNIT DEVELOPMENT
WPC
WATERFRONT PLANNED COMMUNITY
TOD
TRANSIT ORIENTED DEVELOPMENT











ENGINEERS · SURVEYORS · PLANNERS · LANDSCAPE ARCHITECTS

January 22, 2025  
LDG # 229051

Charles County Government  
Department of Planning and Growth Management  
200 Baltimore Street  
La Plata, MD 20646

Attn: Charles Rice

Re: Liberty Bell  
Public Comment Response for CSP 240002

Dear Mr. Rice:

We have submitted the Preliminary Plan for the above referenced project and have the following to offer in regard to the public comments generated at the September 16, 2024 Planning Commission Meeting:

1. Size of Lots: All lots are a minimum of one (1) acre. This is an allowable lot size in the CV Zone. It should also be noted that adjoining properties zoned AC would also be allowed to create one (1) acre lots with a cluster subdivision design.
2. Septic systems on one (1) acre lots are very common. The Charles County Health Department (CCHD) follows rules and regulations and laws as set forth by Maryland Department of the Environment (MDE) and the State of Maryland. All perc testing / septic design is approved by CCHD.
3. These lots will receive a permit for wells (Groundwater Appropriation Permit) from MDE. No shallow wells are proposed or permitted.
4. This property is within a Tier III, which means a major subdivision is permissible. This property does not lie adjacent to any protected lands. To the north on Rt. 425, approximate 0.5 mile, there are properties with Ag. Preservation Districts. To the south on Rt. 425, there are State-owned preservation easements. And to the west on Smallwood Church Road approximately 0.5 mile, there are State-owned preservation easements.
5. All houses, driveways, private road will be designed under the current Stormwater Management (SWM) Ordinance. Environmental Site Design (ESD) to the Maximum Extent Practicable (MEP) will be provided. All water run-off from this property will be managed and designed to ESD standards.

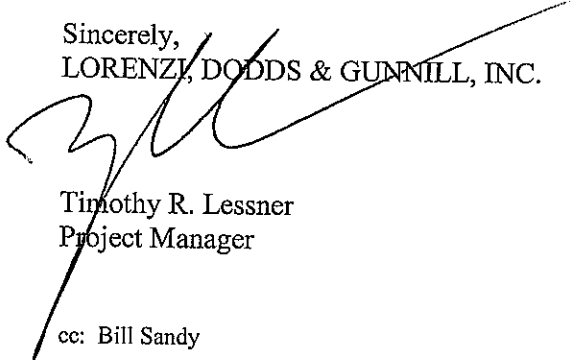


Charles County Government  
Department of Planning and Growth Management  
LDG # 229051  
January 22, 2025  
Page 2

6. The five (5) lots will access Smallwood Church Road via a proposed private road. No direct access to Rt. 425 or Smallwood Church Road for individual lots is proposed.

This project will meet the requirements of the current Adequate Public Facilities (APF) Ordinance.

Sincerely,  
LORENZI, DODDS & GUNNILL, INC.

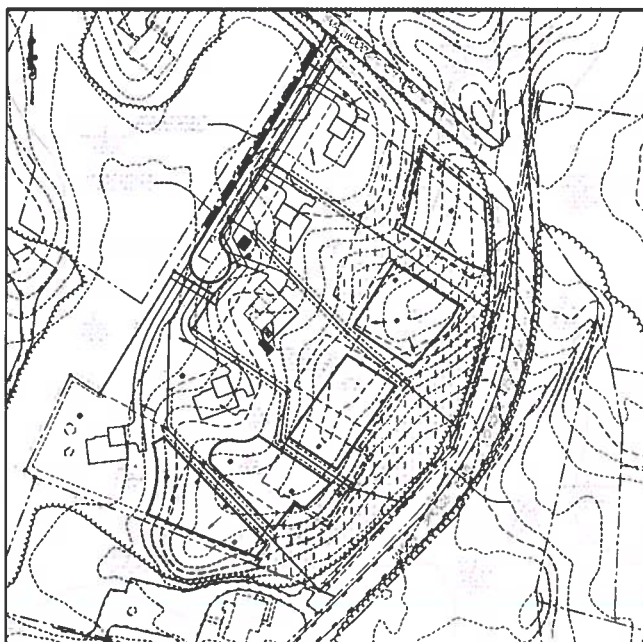


Timothy R. Lessner  
Project Manager

cc: Bill Sandy

## **COST OF LOCAL SERVICES ASSESSMENT**

*Prepared for the Liberty Bell Sub-division  
Charles County, MD*



*Subdivision amendment by Lorenzi, Dodds, & Gunnill, Inc.*

*April 3, 2025*

*For Sandy Ruiz Development, LLC and Charles County Government*

*By **Randall Gross / Development Economics***

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## INTRODUCTION

This Cost of Local Services Assessment is provided based on the requirements for residential applications submitted to Charles County, Maryland for proposed development located within a Tier III zone (Land Use Article, Section 5-104). The purpose of this assessment is to provide the Charles County Planning Commission with substantive information on the recurring (*annual*) fiscal impacts of the proposed addition on the County's General Fund. The developer reserves the right to include any possible capital impacts (prepared by the developer's attorney) as warranted.

## Basic Methodology

Charles County officials have instructed that this Cost of Services study assess the *annual* revenues and costs of the addition that would be generated to the County's General Fund. The County also stipulates that most impacts be determined by assigning *per capita* revenue and cost figures to the proposed development program (although Board of Education costs are distributed based on average pupil yield). Overall revenue and cost data were sourced from the Charles County Adopted FY2025 Budget. However, all figures used in this analysis represent *Actual* 2023 revenues and expenditures. Other factors used in this analysis are discussed in more detail later in the report.

## Consultant Qualifications

Randall Gross / Development Economics (RGDE) represents that he is qualified to undertake such Cost of Services assessments, having completed hundreds of similar assignments over 37 years of consulting throughout the United States and abroad. RGDE is a Washington, DC-based specialist in real estate market and financial feasibility analysis, economic development strategic planning, as well as fiscal and economic impact assessments of projects, plans, and development on local government operations.

Mr. Gross is familiar with Charles County, its government and development context. In particular, he has worked as a sub- or prime consultant for Charles County Government on several planning assignments including Stagg Hall and Port Tobacco Market Potentials (for Community Development); Charles County Housing Plan (for the Housing Commission); Heathcote Road Revitalization Plan (Community Legacy Grant, Community Services); and Area Plans for Bryan Road, Waldorf, and Indian Head (for the Planning Commission). He has also completed several private sector assignments in Charles County. Mr. Gross has provided similar Tier III impact assessments in Charles County.

**PROJECT DESCRIPTION**

Liberty Bell is an existing single-family development with four existing lots located on Mason Springs Road (MD Route 425) at Smallwood Church Road in the Ironsides area of Indian Head, less than one-half mile from MD Route 6 (Port Tobacco Road). This small subdivision has three existing homes, two of which were originally built and sold for \$236,000 starting in 2007. However, the most recent sales indicate market values of \$420,000 to \$490,000 for these same homes. The 1,300- to 2,100 square foot homes are situated on 3.0- to 3.7-acre wooded lots and offer access to natural amenities. The developer has proposed the further subdivision of the one remaining 5.7-acre undeveloped parcel into five 1.0- to 1.2-acre lots, for a total of 8 lots in the community.

**ANNUAL REVENUE IMPACTS**

The project's annual revenue impacts were determined for real property taxes, income taxes, and selected other revenues. These revenues constitute the major source of Charles County's General Fund budget. Revenue impacts were determined for each revenue source and then aggregated to illustrate the total revenue benefit of the project. Based on this analysis, the project's five homes are forecasted to generate a total of approximately **\$39,950** in annual revenues to the County's General Fund at buildout.

Table 1. FISCAL REVENUES GENERATED BY THE LIBERTY BELL SUBDIVISION, CHARLES COUNTY				
<b>PROGRAM</b>	<b>#</b>	<b>Ave Price</b>	<b>Total Value</b>	
# Lots	5			
# SF Residential	5	\$ 490,253	\$ 2,451,263	
<b>Property Taxes</b>	<b>Tax Rate</b>	<b>Per \$100/AV</b>	<b>Total Value</b>	<b>REVENUE</b>
	\$ 1.14100	\$ 0.01141	\$ 2,451,263	\$ 27,969
<b>Income Taxes</b>	<b>Rate</b>	<b>Income/HH</b>	<b>Total Income</b>	<b>REVENUE</b>
	3.03%	\$90,945	\$ 454,723	\$ 9,645
<b>Other GF Revenues</b>	<b>GF Amount (FY23a)</b>	<b>Pop (2023c)</b>	<b>Per Capita</b>	<b>REVENUE</b>
Service Charges	\$ 10,735,154	171,973	\$ 62.42	\$ 868
Fines & Forfeitures	\$ 5,828,894	171,973	\$ 33.89	\$ 471
<b>Sub-Total</b>				<b>\$ 1,339</b>
<b>TOTAL REVENUES</b>				<b>\$ 38,952</b>
Sources: Charles County Government; U.S. Bureau of the Census; Sandy Ruiz Development, Charles County Government, & Randall Gross / Development Economics.				

## ***Randall Gross / Development Economics***

### **Property Taxes**

The project's five lots built for homes at Liberty Bell would generate an estimated \$27,970 in annual real property tax revenues to Charles County's General Fund. This revenue calculation is based on the project's actual pricing history, with an average sale price of \$490,300 calculated on the most recent sales for homes in this community. Applying this average price to the development of five homes in the subdivision would result in a total added home value of \$2,451,300. The County's tax rate of \$1.141 per \$100 of assessed (fair market) value was applied to this value in order to derive total annual tax revenue of \$27,970.

### **Income Taxes**

About \$9,650 in annual Charles County income tax revenues were projected for the subdivision. This calculation was made based on the household income that would be required to support payments on new homes in the subdivision. That income was estimated to be about \$90,950 per household, or \$455,000 for the five homes. Applying the tax rate of 3.03% would yield total income tax revenues of about \$9,650 to Charles County's General Fund.

### **Other Revenues**

Charles County generates additional revenues from a variety of sources, such as recordation and transfer taxes, hotel/motel and admissions taxes, lease and rental agreements, intergovernmental grants and transfers, among others. Based on a review of these other sources, the consultant has made a conservative choice to include only several key revenues that could be attributable directly to residents of housing that might be developed at this site. Namely, these revenues include certain service charges, plus fines and forfeitures.

Residents might generate indirect revenues, such as hotel/motel taxes (generated when friends or family visit the county). Certain intergovernmental grants and transfers are based in part on the County's population and thus, the addition of new residents at Liberty Bell could increase the County's share of appropriations from State government. However, these indirect revenues are not included in this analysis. Further, "once-off" revenues generated from the construction or sale of houses at Liberty Bell, such as building permit fees, recordation taxes, transfer taxes, and others are also excluded from this analysis because they may not be considered as a "recurring" revenue added each year to the County's tax base. Thus, overall, the revenue estimates could be considered somewhat conservative.

Service charges (such as EMS or 911 fees) were calculated based on the per-capita amount of the Approved General Fund allocation for these charges, applied to the projected population at Liberty Bell. That population (the equivalent



## ***Randall Gross / Development Economics***

of about 14 people) was calculated based on average household size estimated by the U.S. Bureau of the Census in its 2023 American Community Survey data for Charles County. The total service charge revenue generated by the project is therefore estimated at about \$870 per year. A similar per-capita methodology was applied to fines and forfeitures, yielding annual revenue of about \$470. Together with property and income taxes, the addition would thereby yield a total of about \$38,950 in annual revenue to the County's General Fund.

### **ANNUAL EXPENDITURE IMPACTS**

The annual cost impacts on the County's General Fund were also projected for the two added lots at build-out. These impacts were determined for the Board of Education as well as for the Sheriff, County-Administered services, and other General Fund accounts. Board of Education cost impacts were determined based on per-pupil costs and pupil yields, while the costs associated with other funds were determined on a per-capita basis. Based on the County's average household size of 2.78 for owner-occupied housing (Census 2023 American Community Survey), the addition is projected to yield a population of about 14 people. Overall, the project is expected to generate total costs to the County's General Fund of approximately **\$38,950** per annum.

#### **Board of Education**

The Actual FY2023 Charles County General Fund contribution to the Board of Education was \$212,686,400. The Board's total enrolment was 27,598, so the General Fund cost per pupil is \$7,707 per year. It should be noted that this does not represent the total cost per pupil, only the cost to the County's General Fund. The Planning and Growth Management approved pupil yields for Single-Family Developments (SFD) in the county are 0.20 for elementary schools, 0.10 for middle schools, and 0.16 for high schools, for a total pupil yield of 0.46 per household. Based on these official data, the Liberty Bell's further subdivision is projected to yield approximately two (2.3 equivalent) students, for a total cost to the County's General Fund of about \$17,725.

#### **Sheriff's Office**

The Sheriff's Office, which leads the County's public safety efforts, represents a substantial share of the County's General Fund budget. The Actual FY2023-24 General Fund amount expended by the Sheriff was \$113,337,464. Based on the County's 2023 American Community Survey population, the Sheriff's budget represented per-capita expenditures of \$659.04. Applied to the projected site population of 14, the project would generate total annual costs of about \$9,160 to the Sheriff. Other public safety expenditures, such as in the Department of Emergency Services and in Volunteer Fire Protection & Emergency Medical Services, are included with County-Administered funds.

## Randall Gross / Development Economics

Table 2. FISCAL COSTS GENERATED BY LIBERTY BELL SUBDIVISION, CHARLES COUNTY					
PROGRAM	#	County Pop	Pop/HH	Site Pop	
# Lots	5				
# SF Residential	5	171,973	2.78	13.9	
Board of Education	GF Contrib.	Pupils	Site Yield	COST	
\$	212,686,400	27,598	2	\$	17,725
Sheriff	GF Amount	Per Capita	Site Pop	COST	
\$	113,337,464	\$ 659.04	14	\$	9,161
County Administered	GF Amount	Per Capita	Site Pop	COST	
Public Works-Facilities	\$ 14,496,713	\$ 84.30	14	\$	1,172
Emergency Services	\$ 12,060,643	\$ 70.13	14	\$	975
Community Services	\$ 2,510,622	\$ 14.60	14	\$	203
Fiscal/Admin Services	\$ 11,897,721	\$ 69.18	14	\$	962
Planning/Growth Mgt	\$ 8,059,280	\$ 46.86	14	\$	651
Economic Development	\$ 2,015,761	\$ 11.72	14	\$	163
General Government	\$ 6,267,214	\$ 36.44	14	\$	507
Recreation, Parks, Tourism	\$ 10,378,026	\$ 60.35	14	\$	839
<b>Sub-Total</b>	\$ 67,685,980			\$	5,471
Other General Fund	GF Amount	Per Capita	Site Pop	COST	
\$	81,514,490	\$ 474.00	14	\$	6,589
<b>TOTAL COSTS</b>				<b>\$</b>	<b>38,945</b>
Sources: Charles County Government; U.S. Bureau of the Census; and Randall Gross / Development Economics.					

### County-Administered Agencies

There are various other agencies administered by County Government, including EMS (as noted above) as well as Public Works, Community Services, Fiscal & Administrative Services, Planning & Growth Management, Economic Development, and Recreation, Parks & Tourism. The costs of service generated to these funds by the proposed project were also simply determined on a per-capita basis. The project would generate total costs to these agencies of about \$5,470 per year, based on the per-capita approach utilized by the County.

### Other General Fund

Other General Fund expenditures are made for the State's Attorney, Health Department, and a variety of other agencies, courts, and services. Together, the Actual County expenditures totalled \$81,514,490 for these expenditures or \$474.00 per capita. Based on this budget amount, the project would yield costs of about \$6,590 annually to the General Fund.



## Randall Gross / Development Economics

### Summary

Overall, the Liberty Bell subdivision would generate annual costs of about \$38,945 to the County's General Fund. It should be noted that these costs are probably higher than the likely costs attributable to this specific development due to the per-capita approach, which assigns social services and other costs that may not be generated by a residents of a relatively affluent single family residential development. Other costs, like Planning and Community Development may be cross subsidized in part through building and other permits, which are not included in the revenue calculations for this project. Thus, overall, the consultant has chosen a relatively conservative approach to forecasting the costs and revenues generated by the project.

### SUMMARY NET COST-OF-SERVICES

This analysis projected the total annual revenue as well as total annual operating costs that may be generated by the proposed further Liberty Bell subdivision to the Charles County General Fund. Based on this analysis, the project would pay for itself, so long as the new houses are sold at prices comparable or higher than what recent sales in this community have achieved. Again, conservative assumptions have been made with respect to the inclusion of costs that may not be applicable to this community. But even then, the project should pay for itself, based on the estimated revenues and expenditures that it would generate to the County's General Fund. The following table summarizes these findings.

Table 3. NET COST-OF-SERVICES PROJECT RETURNS TO CHARLES COUNTY		
REVENUES	Amount Per Year	Share
Real Property Taxes	\$ 27,969	71.8%
Income Taxes	\$ 9,645	24.8%
Service Charges, F&F	\$ 1,339	3.4%
<b>TOTAL</b>	<b>\$ 38,952</b>	100.0%
COSTS		
Board of Education	\$ 17,725	45.5%
Sheriff	\$ 9,161	23.5%
County Administered	\$ 5,471	14.0%
Other General Fund	\$ 6,589	16.9%
<b>TOTAL</b>	<b>\$ 38,945</b>	100.0%
<b>NET ANNUAL RETURN</b>	<b>\$ 7</b>	
Source: Randall Gross / Development Economics.		

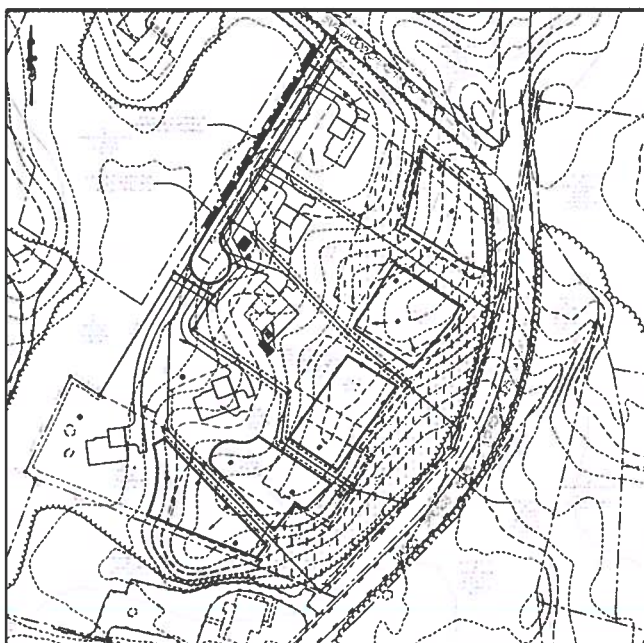
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**Randall Gross / Development Economics**

The analysis suggests that the further subdivision of this property is not likely to have a deleterious impact on the County's fiscal health. There are several caveats, however, associated with these findings. As noted above, this analysis has made fairly conservative assumptions about the exclusion of certain revenues; and the per-capita approach tends to increase costs beyond what is normally expected for the social service requirements associated with affluent communities. Thus, the findings remain relatively conservative. On the other hand, the analysis assumes that the subdivision will result in housing of a quality sufficient to generate prices (and values) equivalent or higher to those homes that are already located in the Liberty Bell community. While the lots are somewhat smaller in the new subdivision, there is reason to believe that the new housing would fetch higher prices due to construction cost inflation and overall price escalations in the market.

## **COST OF LOCAL SERVICES ASSESSMENT**

*Prepared for the Liberty Bell Sub-division  
Charles County, MD*



*Subdivision amendment by Lorenzi, Dodds, & Gunnill, Inc.*

*April 3, 2025*

*For Sandy Ruiz Development, LLC and Charles County Government*

*By **Randall Gross / Development Economics***

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## ***Randall Gross / Development Economics***

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## ***Randall Gross / Development Economics***

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#### **Board of Education**

The Actual FY2023 Charles County General Fund contribution to the Board of Education was \$212,686,400. The Board's total enrolment was 27,598, so the General Fund cost per pupil is \$7,707 per year. It should be noted that this does not represent the total cost per pupil, only the cost to the County's General Fund. The Planning and Growth Management approved pupil yields for Single-Family Developments (SFD) in the county are 0.20 for elementary schools, 0.10 for middle schools, and 0.16 for high schools, for a total pupil yield of 0.46 per household. Based on these official data, the Liberty Bell's further subdivision is projected to yield approximately two (2.3 equivalent) students, for a total cost to the County's General Fund of about \$17,725.

#### **Sheriff's Office**

The Sheriff's Office, which leads the County's public safety efforts, represents a substantial share of the County's General Fund budget. The Actual FY2023-24 General Fund amount expended by the Sheriff was \$113,337,464. Based on the County's 2023 American Community Survey population, the Sheriff's budget represented per-capita expenditures of \$659.04. Applied to the projected site population of 14, the project would generate total annual costs of about \$9,160 to the Sheriff. Other public safety expenditures, such as in the Department of Emergency Services and in Volunteer Fire Protection & Emergency Medical Services, are included with County-Administered funds.

## Randall Gross / Development Economics

Table 2. FISCAL COSTS GENERATED BY LIBERTY BELL SUBDIVISION, CHARLES COUNTY					
PROGRAM	#	County Pop	Pop/HH	Site Pop	
# Lots	5				
# SF Residential	5	171,973	2.78	13.9	
Board of Education	GF Contrib.	Pupils	Site Yield	COST	
\$	212,686,400	27,598	2	\$	17,725
Sheriff	GF Amount	Per Capita	Site Pop	COST	
\$	113,337,464	\$ 659.04	14	\$	9,161
County Administered	GF Amount	Per Capita	Site Pop	COST	
Public Works-Facilities	\$ 14,496,713	\$ 84.30	14	\$	1,172
Emergency Services	\$ 12,060,643	\$ 70.13	14	\$	975
Community Services	\$ 2,510,622	\$ 14.60	14	\$	203
Fiscal/Admin Services	\$ 11,897,721	\$ 69.18	14	\$	962
Planning/Growth Mgt	\$ 8,059,280	\$ 46.86	14	\$	651
Economic Development	\$ 2,015,761	\$ 11.72	14	\$	163
General Government	\$ 6,267,214	\$ 36.44	14	\$	507
Recreation, Parks, Tourism	\$ 10,378,026	\$ 60.35	14	\$	839
Sub-Total	\$ 67,685,980			\$	5,471
Other General Fund	GF Amount	Per Capita	Site Pop	COST	
\$	81,514,490	\$ 474.00	14	\$	6,589
TOTAL COSTS				\$	38,945
Sources: Charles County Government; U.S. Bureau of the Census; and Randall Gross / Development Economics.					

### County-Administered Agencies

There are various other agencies administered by County Government, including EMS (as noted above) as well as Public Works, Community Services, Fiscal & Administrative Services, Planning & Growth Management, Economic Development, and Recreation, Parks & Tourism. The costs of service generated to these funds by the proposed project were also simply determined on a per-capita basis. The project would generate total costs to these agencies of about \$5,470 per year, based on the per-capita approach utilized by the County.

### Other General Fund

Other General Fund expenditures are made for the State's Attorney, Health Department, and a variety of other agencies, courts, and services. Together, the Actual County expenditures totalled \$81,514,490 for these expenditures or \$474.00 per capita. Based on this budget amount, the project would yield costs of about \$6,590 annually to the General Fund.



## Randall Gross / Development Economics

### Summary

Overall, the Liberty Bell subdivision would generate annual costs of about \$38,945 to the County's General Fund. It should be noted that these costs are probably higher than the likely costs attributable to this specific development due to the per-capita approach, which assigns social services and other costs that may not be generated by a residents of a relatively affluent single family residential development. Other costs, like Planning and Community Development may be cross subsidized in part through building and other permits, which are not included in the revenue calculations for this project. Thus, overall, the consultant has chosen a relatively conservative approach to forecasting the costs and revenues generated by the project.

### SUMMARY NET COST-OF-SERVICES

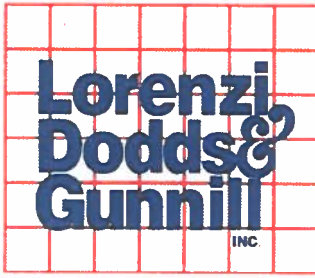
This analysis projected the total annual revenue as well as total annual operating costs that may be generated by the proposed further Liberty Bell subdivision to the Charles County General Fund. Based on this analysis, the project would pay for itself, so long as the new houses are sold at prices comparable or higher than what recent sales in this community have achieved. Again, conservative assumptions have been made with respect to the inclusion of costs that may not be applicable to this community. But even then, the project should pay for itself, based on the estimated revenues and expenditures that it would generate to the County's General Fund. The following table summarizes these findings.

Table 3. NET COST-OF-SERVICES PROJECT RETURNS TO CHARLES COUNTY		
REVENUES	Amount Per Year	Share
Real Property Taxes	\$ 27,969	71.8%
Income Taxes	\$ 9,645	24.8%
Service Charges, F&F	\$ 1,339	3.4%
<b>TOTAL</b>	<b>\$ 38,952</b>	<b>100.0%</b>
COSTS		
Board of Education	\$ 17,725	45.5%
Sheriff	\$ 9,161	23.5%
County Administered	\$ 5,471	14.0%
Other General Fund	\$ 6,589	16.9%
<b>TOTAL</b>	<b>\$ 38,945</b>	<b>100.0%</b>
<b>NET ANNUAL RETURN</b>	<b>\$ 7</b>	
Source: Randall Gross / Development Economics.		

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**Randall Gross / Development Economics**

The analysis suggests that the further subdivision of this property is not likely to have a deleterious impact on the County's fiscal health. There are several caveats, however, associated with these findings. As noted above, this analysis has made fairly conservative assumptions about the exclusion of certain revenues; and the per-capita approach tends to increase costs beyond what is normally expected for the social service requirements associated with affluent communities. Thus, the findings remain relatively conservative. On the other hand, the analysis assumes that the subdivision will result in housing of a quality sufficient to generate prices (and values) equivalent or higher to those homes that are already located in the Liberty Bell community. While the lots are somewhat smaller in the new subdivision, there is reason to believe that the new housing would fetch higher prices due to construction cost inflation and overall price escalations in the market.



ENGINEERS · SURVEYORS · PLANNERS · LANDSCAPE ARCHITECTS

# **Natural Resources Inventory**

**For**

# **Land of Sandy Ruiz Development, LLC**

**Indian Head, Charles County, Maryland**

**Tax Map 41, Grid 21, Parcel 175 ~ Tax ID # 03-026728**

**PSP #** 25-0001  
**July 2025**

**Prepared for:**

Sandy Ruiz Development, LLC  
4230 Ray Drive  
La Plata, MD 20646

**Prepared by:**

Lorenzi, Dodds, & Gunnill, Inc.  
3475 Leonardtown Rd., Suite 100  
Waldorf, MD 20601  
c/o Gahr Lessner

LDG# 229051

WALDORF COMMERCIAL CENTER, 3475 LEONARDTOWN ROAD, SUITE 100, WALDORF, MARYLAND 20601  
(301) 645-2254 (301) 843-6255 Fax: (301) 932-4480

## **Table of Contents**

Introduction.....	1
Background and Existing Conditions .....	3
Geology and Soils .....	3
Waters of the United States, Wetlands and Floodplain .....	4
Listed Species and Forest Interior Dwelling Birds .....	5

## **List of Tables**

Table 1	Soil Units within Area of Review .....	Page 3
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## **List of Figures**

Figure 1	Vicinity Map .....	Page 1
Figure 2	USGS 7.5-minute Topographic Map .....	Page 2
Figure 3	NRCS, USDA Web Soil Survey .....	Page 3
Figure 4	National Wetland Inventory Map .....	Page 4

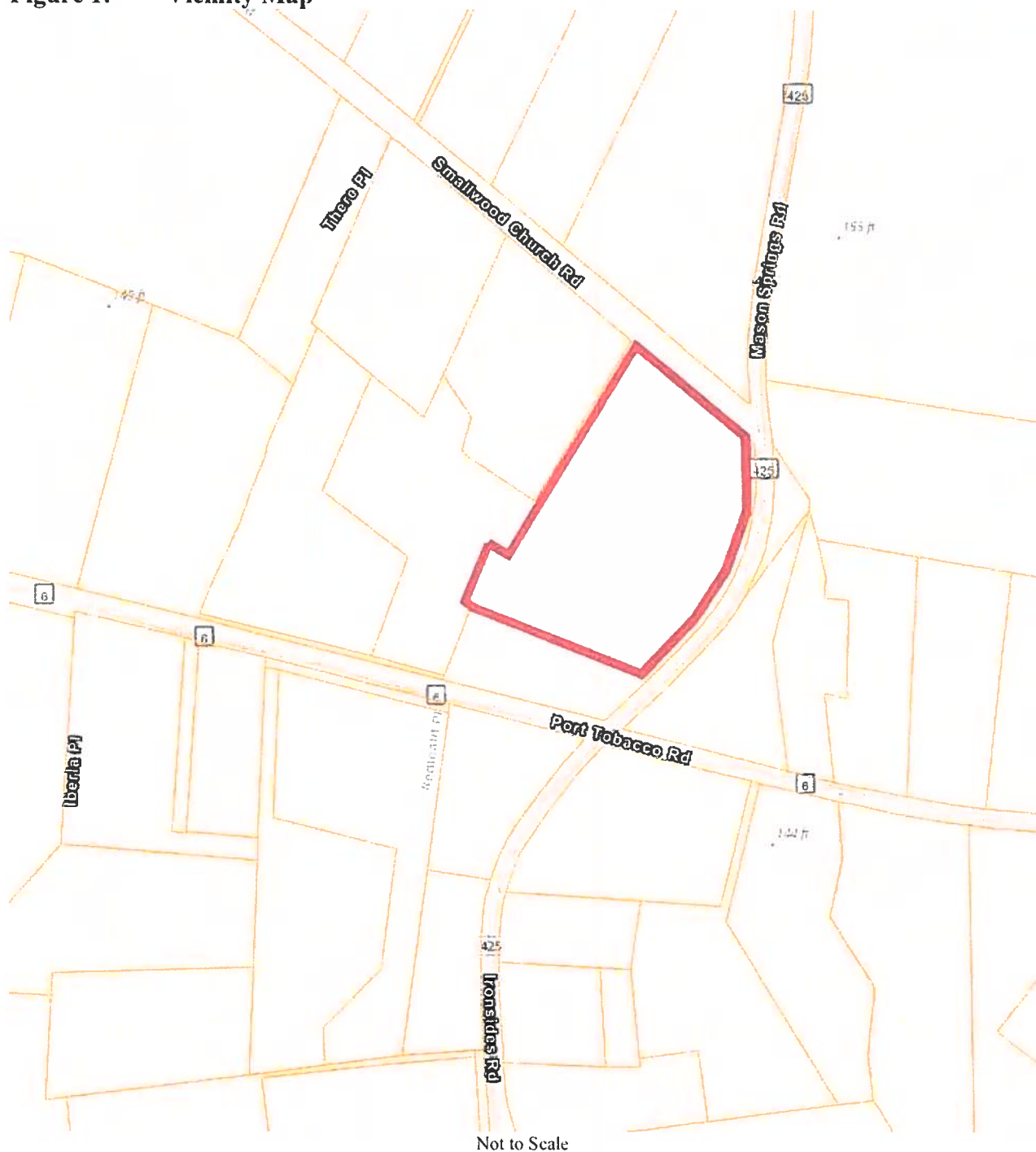
## **List of Appendices**

Appendix A	Preliminary Plan
Appendix B	Final Forest Conservation Plan
Appendix C	DNR Environmental Review
Appendix D	USFWS IPaC Review

## Introduction

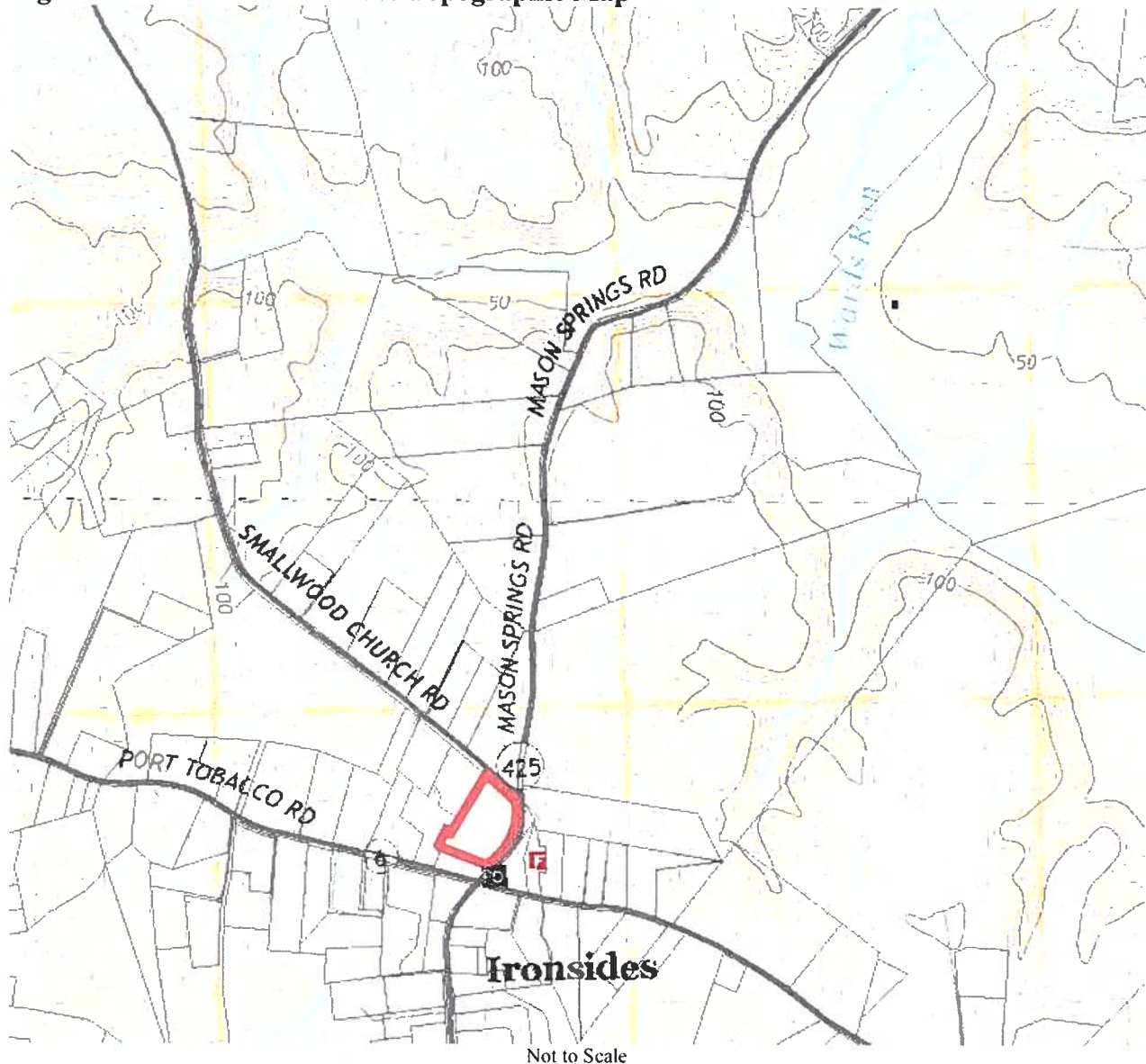
The Land of Sandy Ruiz Development, LLC, the Site, is located in Indian Head, Charles County, Maryland, off of Smallwood Church Road, directly the intersection of Mason Springs Road (MD RT 425) and Smallwood Church Road. The Site is zoned Village Commercial (CV). The Site is located on Tax Map 41, Grid 21, and identified as Parcel 175.

**Figure 1: Vicinity Map**



The field investigation for the natural resource inventory (NRI) included the entire site. The site is a total of 5.67 acres, all of which is considered forested area. The site is bound by existing residential properties to the west, by commercial property to the south, by Smallwood Church Road to the north, and by Mason Springs Road to the east. Parcel 31 is located on the La Plata, Maryland USGS 7.5-minute Quadrangle Map at 38° 29' 34.57" N and 77° 09' 34.84" W.

**Figure 2. USGS 7.5-minute Topographic Map**



The property was part of a previous subdivision known as “Agostinho Property” and was recorded under PB.56 PG. 352-353. This record plat recorded the Site as “Lot 4”. The proposed project shall further subdivide the Site into four (4) additional single-family residential lots.

The Site also underwent a forest harvest between the time of May 2022 and July 2023. The harvest operation was conducted under permit # HARV-220014.



## Background and Existing Conditions

### Geology and Soils

The site is located entirely within the Coastal Plain Physiographic Province. The Coastal Plain Province is composed of thick unconsolidated beds of sand, silt, clay, and gravel laid down as marine deposits and extends from the Atlantic Ocean westward to the eastern boundary of the Piedmont Province. The soil units mapped in this review area are listed in Table 1 and shown as mapped by the *NRCS Web Soil Survey*.

**Table 1. Soil Units Mapped on the Site**

SOIL MAP UNIT	SOIL DESCRIPTION	ERODIBILITY (K-FACTOR)	HYDRIC	HSG
BaB	Beltsville silt loam (2 to 5% slopes)	0.37	No	C
BaC	Beltsville silt loam (5 to 10% slopes)	0.43	No	C
<p><b>NOTES:</b> *K-Factor of 0.37 or greater and located on steep slopes is considered highly erodible soil. *HSG – Hydrolic Soil Group – Refer to Appendix A, USDA TR55 Manual</p>				

**Figure 3. NRCS, US Department of Agriculture Web Soil Survey**

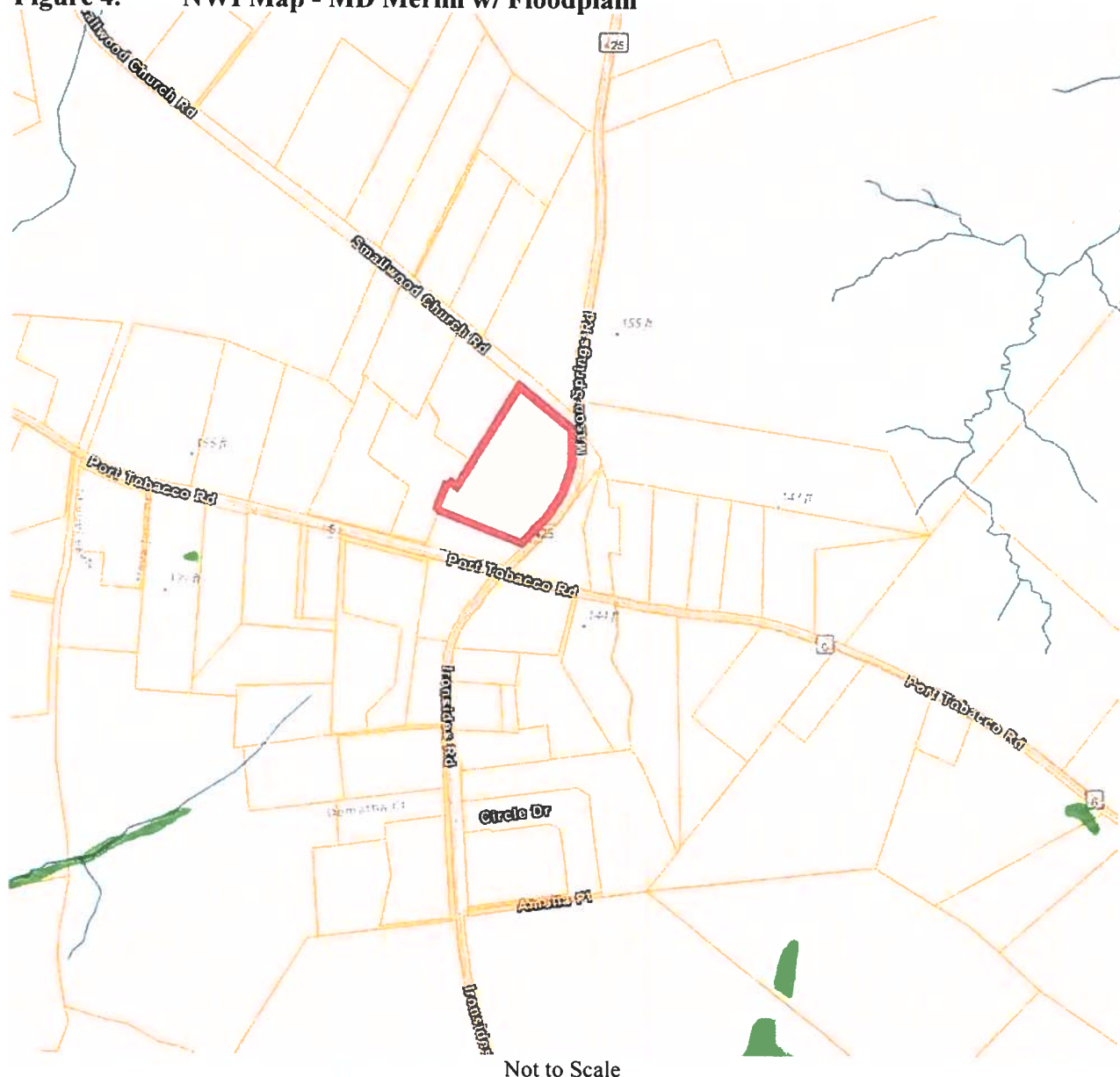


Not to Scale

### **Waters of the United States, Wetlands and Floodplain**

The Site drains directly to an unnamed tributary of the Nanjemoy Creek, which is a tributary of the Lower Potomac River. The National Wetland Inventory (NWI) Map (Figure 4) indicates the absence of any non-tidal wetlands or Waters of the US on the Site. A preliminary field visit by Lorenzi, Dodds, & Gunnill, Inc. confirmed the NWI mapping but no delineation of the W.O.U.S. was performed at this time. According to Federal Emergency Management Agency (FEMA), Flood Insurance Rate Map (FIRM) panel numbers 24017C0285D (effective 05/04/2015), no portion of the Site is mapped as a 1% / 100-yr floodplain. The Site is not located within the Chesapeake Bay Critical Area (CBCA) limits. This project is located within a Tier II watershed, Hill Top Fork UT 1. This watershed has assimilative capacity per the online Maryland's Tier II High Quality Waters GIS mapping.

**Figure 4. NWI Map - MD Merlin w/ Floodplain**





### **Listed Species and Forest Interior Dwelling Birds**

An Environmental Review was received by LDG from the Maryland Department of Natural Resources, Wildlife and Heritage Service (DNR) on July 05, 2022. This review found no official records for State or Federal listed, candidate, proposed, or rare plant or animal species within the project area.

On June 23, 2022, a review was completed by USDI/FWS through the IPAC system. The IPaC review provided a species list identifying two (2) records of threatened, endangered, or proposed and candidate species. (1) Northern Long-Eared Bat (*Myotis septentrionalis*) – endangered. A “May Affect” determination was provided by the USFWS department which results in no further required action. (2) Monarch Butterfly (*Danaus plexippus*) – Proposed Threatened. The Monarch Butterfly has mapped critical habitat that does not overlap with project boundary this time. Additional action for these species with the USFWS is voluntary. Please refer to Appendix D for a copy of the environmental reviews.

### **Forest Resources**

A Forest Stand Delineation (FC # 05-664) was prepared by Bolton & Associates, LLC and was approved in March 2011. Per the approved Forest Stand Delineation (FSD) for the “Agostinho Property” which was the name of the overall subdivision which included Lot 4 (the Site), two (2) forest stands were identified on the subject property. The entire forest area on-site was considered upland and no portion of the forest on-site was designated as high priority retention. The FSD noted Stand B to be “medium” retention potential for the fact this area facilitates some of the site drainage. The methods used for the completion of the forest inventory are in accordance with the *State Forest Conservation Technical Manual, Third Edition, 1997*, full FSD requirements. The inventory was conducted using the point sampling method of inventory forest resources. Sample points were randomly located throughout the property. At each sample point a ten (10) basal area factor (BAF) wedge prism was used to determine countable trees. All countable trees two (2) inches diameter at breast height (DBH) or greater and greater than twenty feet in height were tallied. The site also recently underwent an approved forest harvest operation. The site was harvested under permit # HARV-220014.

### **Proposed Development and Environmental Impacts**

The proposed development for Lot 4 shall subdivide the Site into four (4) additional lots to be known as Liberty Bell subdivision. The lots will be served by a shared private road and will have individual driveways for each of the proposed lots. The lots will be served by private wells and septic reserve systems that will be approved by the Charles County Health Department. Home development will be located away from steep slopes and forest clearing will be minimized to the greatest extent feasible to facilitate forest canopy retention. Stormwater management (SWM) and storm drainage (SD) will be designed and built for the private road and right-of-way area under a Development Service Permit (DSP). Individual lots will be reviewed and designed on a lot-by-lot basis at the time of building permit application and will provide Environmentally Sensitive Design (ESD) stormwater treatment. The SWM plans will address added impervious area and reduce sedimentation and unnecessary changes to the affected watershed. The Site also has existing forest conservation easements that will be re-flagged, if necessary, and will be avoided during development.

**Conclusion**

The Land of Sandy Ruiz Development, LLC is not a significant source of environmental resources. The site lacks any Waters of the US and has no critical habitats according to provided state and federal reviews provided. Forest conservation was previously met through the approval and implementation of FC # 05-664. The project proposes no impacts to environmental features through the development of the site, therefore no further environmental review is needed.

## Appendix A: Preliminary Subdivision Plan

Appendix B: Forest Stand Delineation  
& Final Forest Conservation Plan  
(by Bolton & Associates, LLC)  
FC # 05-664

Forest Stand Delineation  
For  
AGOSTINHO MINOR SUBDIVISION

3<sup>rd</sup> Election District  
CHARLES COUNTY, MARYLAND

CHARLES COUNTY	
FOREST STAND DELINEATION	
FILE#	FC05664
APPROVAL DATE	3/29/2006
SIGNATURE	<i>[Signature]</i>
	3/29/2011



Prepared for:

Celia Agostinho  
6060 Port Tobacco Rd.  
Indian Head, MD 20640  
(301) 399-4989

July, 2005  
Revised December, 2005

*2nd review 12/27/05*



## TABLE OF CONTENTS:

	Page
I. Introduction	3
II. Stand A Description	4
<ul style="list-style-type: none"><li>• Vegetation – Results of Field Data Collection</li><li>• Summary</li><li>• Soils</li><li>• Retention value</li></ul>	
III. Stand B Description	5
<ul style="list-style-type: none"><li>• Vegetation – Results of Field Data Collection</li><li>• Summary</li><li>• Soils</li><li>• Retention value</li></ul>	
IV. Appendix A – Data Sheets	6-11
V. Appendix B - DNR request for information	12-16
VI. Appendix C – Environmental Features Map	(Sheet 1 of 1)

## INTRODUCTION:

The Agostinho Minor Subdivision consists of +/-16.38 acres and is located in Ironsides, Maryland. Approximately +/- 9.50 acres are forested and are the subjects of this report. This site is composed of one parcel and is currently zoned Agricultural Conservation (AC) and Village Commercial (CV) and can be located on Charles County Tax Map 41, Grid 21. The north, east and west portions of the property are bordered by residential land use. The property on Parcel 122 adjoining the southeast boundary of the site has a commercial land use designation. Adjoining properties to the west, north, and south are zoned Agricultural Conservation (AC). Adjoining property on the east is zoned Village Commercial (CV).

A Forest Stand Delineation was performed by Bolton & Associates, LLC on February 15, 2005 in accordance with the Charles County Forest Conservation Ordinance. Data was collected using a 1/10 acre fixed plot, random sampling procedure. Basal area of each plot was determined using a 10 factor prism. A total of four (4) sample plots were used to collect the required data. Two (2) different forest stands were identified at the time of the Forest Stand Delineation. Sample plot data and stand summary sheets can be referenced in Appendix "A".

At the time of the FSD, there were no rare, endangered, or threatened species observed at the site. No streams, floodplain, non-tidal wetlands, or steep slopes were found on the site. Upon review of the USGS Topographic Map of Nanjemoy, MD that was created in 1954 and photorevised in 1978, shows that the forested area was previously open field. It appears from existing conditions that agricultural practices ceased +/- 20 years ago.

Correspondence was sent to the Department of Natural Resources, Wildlife and Heritage Service (DNRWHS) on February 15, 2005 for confirmation of any known historical or cultural features at this site. Included in this report is the response from the DNRHWS indicating that there are no records of rare, threatened, or endangered species within the area. It was noted in the response that the site analysis suggest that the forested area contains Forest Interior Dwelling Bird (FID) habitat. Knowing that FID habitat may exist on this site will be considered when project design is undertaken. The fifteen guidelines for minimizing impacts to FID habitat will be considered and incorporated into the project plan.

A search of MERLIN online for historical sites showed that the house located on the southwest corner of the property is listed as a Historic Site. It has the MD Historic Site Number CH-307 and is identified as Janifer House. Any other correspondence received after the date of this report will be included as a supplement to this report.

## STAND DESCRIPTIONS:

### STAND A:

Stand "A" is a total of +/- 5.97 acres and is located on the top dry area of both sides of the drainage area that divides the stand. The forested area is representative of an early to mid successional Virginia Pine forest that is typical in an old field area. A total of two (2) tree species are found within Stand "A". Virginia Pine within the 2-5.9" dbh size class make up the majority of the trees present. The other tree species present in this stand was Holly.

The stand summary was completed for Stand "A" by using the information gathered from the two plot samples. The majority of trees found within this stand are in the 2-5.9" dbh size class. Canopy cover is an average of one hundred percent (100%) and varies little throughout the stand. Understory cover is an average of zero percent (0%) with widely scattered Holly. Herbaceous cover is an average of zero percent (0%). The lack of herbaceous cover is the result of a large amount of leaf litter on the forest floor and a lack of sunlight penetrating through the canopy. There are no invasive species in the stand.

The soil types within Stand "A", according to the Soil Survey of Charles County consists of Beltsville Silt Loam, 2-5% slopes, moderately eroded (BIB2), Exum Clay Loam, 5-10% slopes, severely eroded (EYC3) and Exum-Beltsville Loams, 2-5% slopes, moderately erodible (EZB2). The K factor for all soils is .43. Soils that have a K factor greater than .35 are considered to be highly erodible soils. Since Beltsville Silt Loam, Exum Clay Loam and Exum-Beltsville Loams have a K factor greater than .35, they are highly erodible soils. Beltsville Silt Loam, Exum Clay Loam and Exum-Beltsville Loams are not hydric soils.

Due to the dominance of 2-5.9" dbh tree size and the degree of development of the forest layers, this stand is considered to be in an early to mid successional stage. No specimen trees are found within this stand.

The stand is considered to have a low retention value based on the stand being an early to mid successional Virginia Pine forest with no steep slopes, non-tidal wetlands, streams or floodplains. An environmental features map can be found in Appendix "B".

## **STAND B:**

Stand "B" is a total of +/- 3.53 acres and is located in the narrow moist bottomland bordered on both sides by Stand "A". This stand consists mainly of hardwoods that are typically found in moist, well drained soils. This stand was an open field at the same time as Stand "A". The hardwood trees took hold when agricultural practices ceased. A total of four (4) different tree species are present within this stand. The dominant species is Sweet Gum within the 2-5.9" dbh size class. Red maple is the codominant species. Other species within this stand are Tulip Poplar and Virginia Pine.

The Stand Summary was completed by using the information gathered from the two plot samples. The majority of trees found are in the 2-5.9" dbh classes. The canopy cover within Stand "B" is an average of ninety percent (90%). Understory cover (3'-20') is an average of fifty percent (50%) and consists of Virginia Pine and Tulip Poplar. The Virginia Pine is found along the transitional edge of the two stands. Herbaceous cover is an average of twenty percent (20%) and consists of spring onion. There are no invasive species in the stand.

The soil type within Stand "B", according to the Soil Survey for Charles County MD, is Exum Clay Loam, 5-10% slopes, severely eroded (Eyc3). Exum Clay Loam is not hydric and has a K factor of .43. Soils that have a K factor greater than .35 are considered to be highly erodible soils. Since Exum Clay Loam has a K factor greater than .35, it is a highly erodible soil.

Due to the evaluation of the aforementioned characteristics and the observation made at the time of the Forest Stand Delineation, this stand is in an early successional stage. The stand is considered to have a moderate retention value because it is located in the drainage way for the site. No specimen trees are found within Stand "B". An environmental features map can be found in Appendix "B".

## APPENDIX A



Property Name _____		
Location _____ (Town, County, ADC Map# and Grid Coordinates)		
Prepared By _____ Date _____		
Stand Variable	Stand # <u>A' 5.17 AC</u>	Stand # <u>B' 3.43 AC</u>
1. Dominant species/Codominant species	_____	_____
2. Successional stage	_____	_____
3. Basal area $\pm$ s f per acre	_____	_____
4. Size class of dominant species	_____	_____
5. Percent of canopy closure	_____	_____
6. Number of tree species per acre	_____	_____
7. Common understory species per acre	_____	_____
8. Percent of understory cover 3' to 20' tall	_____	_____
9. Number of woody plant species 3' to 20' tall	_____	_____
10. Common herbaceous species 0' to 3' tall	_____	_____
11. Percent of herbaceous & woody plant cover 0' to 3' tall	_____	_____
12. List of major invasive plant species & percent of cover	_____	_____
13. Number of standing dead trees 6" dbh or greater	_____	_____
14. Comments	_____	
Sheet <u>1</u> of <u>1</u>		
Forest Stand Summary Worksheet		C:2

Property: Agoston Prepared By: BOLTON & ASSOCIATES, LLC  
 Stand #: 1 Plot #: 1 Plot Size: 1/10 Ac Date: 2/15/11

Basal Area in  
 sq/acre  
2.70

Size class of trees > 20' height within sample plot

Tree Species	# of Trees 2-5 9" dbh			# of Trees 6-11 9" dbh			# of Trees 12-19 9" dbh			# of Trees 20-29 9" dbh			# of Trees > 30" dbh			Total
Crown Position	Dom	CoD	Other	Dom	CoD	Other	Dom	CoD	Other	Dom	CoD	Other	Dom	CoD	Other	
<u>White Pine</u>	<u>3</u>			<u>1</u>												<u>4</u>
Total Number of Trees per Size Class	<u>3</u>			<u>1</u>			<u>0</u>			<u>0</u>			<u>0</u>			<u>4</u>
Number & Size of Standing Dead Trees	<u>1</u>			<u>0</u>			<u>0</u>			<u>0</u>			<u>0</u>			<u>1</u>

List of Common Understory Species 3'-20'	% of Canopy Closure						Percent of Invasive Cover per Plot (All Layers)	Plot Successional Stage
	C	N	E	S	W	Total		
<u>None</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>NA</u>	<u>Mid Successional Pine</u>
List of Herbaceous Species 0'-3'	% Understory Cover 3'-20'							
	C	N	E	S	W	Total		
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>		
	% of Herbaceous Cover 0'-3'							
	C	N	E	S	W	Total		
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>		

Comments: Dense young Pine Stand  
Heavy Pine needle litter  
(D. & H. Top)

Property: Agassiz Prepared By BOLTON & ASSOCIATES, LLC  
 Stand #: A Plot #: 3 Plot Size: 1/10 AC Date: 3/16/05

Basal Area in  
6/acre:  
310

Size class of trees > 20' height within sample plot

Tree Species	# of Trees 2-5 9" dbh			# of Trees 6-11 9" dbh			# of Trees 12-19 9" dbh			# of Trees 20-29 9" dbh			# of Trees > 30" dbh			Total
Crown Position	Dom	CoD	Other	Dom	CoD	Other	Dom	CoD	Other	Dom	CoD	Other	Dom	CoD	Other	
<u>Virginia Pine</u>	<u>37</u>			<u>11</u>												<u>48</u>
Total Number of Trees in Size Class	<u>37</u>			<u>11</u>			<u>0</u>			<u>0</u>			<u>0</u>			<u>48</u>
Number & Size of Standing Dead Trees	<u>7</u>			<u>0</u>			<u>0</u>			<u>0</u>			<u>0</u>			<u>7</u>

List of Common Understory Species 3'-20'	% of Canopy Closure						Percent of Invasive Cover per Plot (All Layers)	Plot Successional Stage		
NA	C	N	E	S	W	Total				
	0	0	0	0	0	0	NA	NA Virgin Pine		
List of Herbaceous Species 0'-3'	% Understory Cover 3'-20'									
NA	C	N	E	S	W	Total				
	0	0	0	0	0	0				
	% of Herbaceous Cover 0'-3'									
	C	N	E	S	W	Total				
	0	0	0	0	0	0				

Comments: Dense young Pine Stand  
Heavy Pine understory  
(Dry forest)

Sheet 2 of 2

Forest Sampling Data Worksheet

C:1

Property: Angus - h.c. Prepared By: BOLTON & ASSOCIATES, LLC  
 Stand #: 25 Plot #: 2 Plot Size: 1/10 AC Date: 2/15/05

Basal Area in  
 s/acre:

266

Size class of trees > 20' height within sample plot

Tree Species	# of Trees 2-5 9" dbh			# of Trees 6-11 9" dbh			# of Trees 12-19 9" dbh			# of Trees 20-29 9" dbh			# of Trees > 30" dbh			Total	
	Crown Position	Dom	CoD	Other	Dom	CoD	Other	Dom	CoD	Other	Dom	CoD	Other	Dom	CoD		Other
Sweetgum (Common)		21			5												34
Red Bay Pine		3			9												12
White Oak Pine			4														4
Total Number of Trees per Size Class		53			12			0			0			0			65
Number & Size of Standing Dead Trees		0			0			0			0			0			0

List of Common Understory Species 3-20'

PA

% of Canopy Closure

C	N	E	S	W	Total
1	1	1	1	1	5

Percent of Invasive  
Cover per Plot (All  
Layers)

NA

Plot Successional  
Stage

Early  
Successional

List of Herbaceous Species 0-3'

Small  
Flowers

% Understory Cover 3'-20'

C	N	E	S	W	Total
1	1	1	1	1	5

% of Herbaceous Cover 0-3'

C	N	E	S	W	Total
1	1	1	1	1	5

Comments

Small Red Bay

Sheet 1 of 1

Forest Sampling Data Worksheet

C:1

Property: Agassiz Prepared By: BOLTON & ASSOCIATES, LLC  
 Stand #: B Plot #: 4 Plot Size: 1/10 AC Date: 2/15/06

Basal Area In  
 sq/acre  
200

Size class of trees > 20' height within sample plot

Tree Species	# of Trees 2-5 9" dbh			# of Trees 6-11 9" dbh			# of Trees 12-19 9" dbh			# of Trees 20-29 9" dbh			# of Trees > 30" dbh			Total
Crown Position	Dom	CoD	Other	Dom	CoD	Other	Dom	CoD	Other	Dom	CoD	Other	Dom	CoD	Other	
Sweet Gum	10			4												14
Red Maple	12			1												13
Virginia Pine		6														6
Total Number of Trees per Size Class	28			5			0			0			0			33
Number & Size of Standing Dead Trees	0			0			0			0			0			0

List of Common Understory Species 3'-20'

NA

% of Canopy Closure

C	N	E	S	W	Total
0	0	0	0	0	0

Percent of Invasive  
Cover per Plot (All  
Layers)

NA

Plot Successional  
Stage

Early  
(1st Succession)

List of Herbaceous Species 0'-3'

NA

% Understory Cover 3'-20'

C	N	E	S	W	Total
0	0	0	0	0	0

% of Herbaceous Cover 0'-3'

C	N	E	S	W	Total
0	0	0	0	0	0

Comments

Low tree density pattern

Sheet 2 of 2

Very moist soils

Forest Sampling Data Worksheet

C:1



## APPENDIX B



**MARYLAND**  
DEPARTMENT OF  
NATURAL RESOURCES

Robert L. Ehrlich, Jr., Governor  
Michael S. Steele, Lt. Governor  
C. Ronald Franks, Secretary

March 22, 2005

RECEIVED

Mr. Dennis Haskins  
Bolton & Associates  
102 Centennial Street, Suite 104  
La Plata, MD 20646

PAID 9.15 005  
Bolton & Associates, LLC

**RE: Environmental Review for Agostinho Minor Subdivision, BA File C4121-0501,  
Charles Co., MD.**

Dear Mr. Haskins:

The Wildlife and Heritage Service has determined that there are no State or Federal records for rare, threatened or endangered species within the boundaries of the project site as delineated. As a result, we have no specific comments or requirements pertaining to protection measures at this time. This statement should not be interpreted however as meaning that rare, threatened or endangered species are not in fact present. If appropriate habitat is available, certain species could be present without documentation because adequate surveys have not been conducted. It is also important to note that the utilization of state funds, or the need to obtain a state authorized permit may warrant additional evaluations that could lead to protection or survey recommendations by the Wildlife and Heritage Service. If this project falls into one of these categories, please contact us for further coordination.

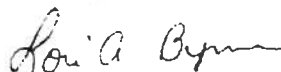
Our analysis of the information provided also suggests that the forested area on the project site contains Forest Interior Dwelling Bird habitat. Populations of many Forest Interior Dwelling Bird species (FIDS) are declining in Maryland and throughout the eastern United States. The conservation of FIDS habitat is strongly encouraged by the Department of Natural Resources. In order to do so, the following guidelines could be incorporated into the site design to help minimize the project's impacts on FIDS and other native forest plants and wildlife:

1. Restrict development to nonforested areas
2. If forest loss or disturbance is unavoidable, concentrate or restrict development to the following areas:
  - a. the perimeter of the forest (i.e., within 300 feet of existing forest edge)
  - b. thin strips of upland forest less than 300 feet wide
  - c. small, isolated forests less than 50 acres in size
  - d. portions of the forest with low quality FIDS habitat (i.e., areas that are already heavily fragmented, relatively young, exhibit low structural diversity, etc.)

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

Thank you for allowing us the opportunity to review this project. If you should have any further questions regarding this information, please contact me at (410) 260-1373.

Sincerely,



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

FR A20090401.ch



# MARYLAND DEPARTMENT OF THE ENVIRONMENT

1800 Washington Boulevard • Baltimore MD 21230

410-537-3000 • 1-800-633-6101

Robert L. Ehrlich, Jr.  
Governor

Kendall P. Philbrick  
Secretary

March 8, 2005

Mr. Dennis Haskins  
Babson Latham  
102 Centennial Street  
Suite 104  
La Plata MD 20646

RE: Tracking Number 2005-25004  
Request Received March 8, 2005

W. OSTINHO SENIOR DIVISION

Dear Mr. Haskins:


The Maryland Department of the Environment (MDE) received your recent request for information under the Public Information Act (PIA).

Your request has been assigned the tracking number listed above. Please use this number in all communications referring to this request. Your request has been reviewed and distributed to all appropriate MDE programs. After all programs have completed the search, you will be notified by mail as to whether or not pertinent records exist. If files exist, the notification letter will contain instructions for reviewing the records. Only after you schedule an appointment to review files will the requested files be gathered in preparation for your review.

There may be fees associated with the search whether or not files are located. The PIA fees are limited to standard charges for direct document search, review, duplication, and postage. The first two hours of search are free of charge. If your request definition is late a warning to pay fees. You will be notified only if the fees are likely to exceed \$25.

When requesting information regarding this request, please cite the tracking number referenced above. If you have any questions, please call me at (410) 337-3422.

Sincerely,

  
Maria Stephens  
PIA Liaison  
Waste Management Administration

Dennis Haskins  
Bolton & Associates  
102 Centennial Street  
Suite 104  
La Plata, Maryland 20646

Dear Mr Haskins

The above referenced property is zoned AC, Agricultural Conservation. Our records indicate that there are no reported zoning violations nor are there any outstanding enforcement actions against the property at this time.

If you should need any further information, please contact me at 301.225.1507.

Sincerely,

Nov 20 1911

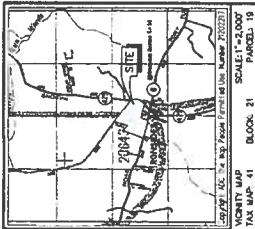
Mary C. Vance  
Zoning specialist

File

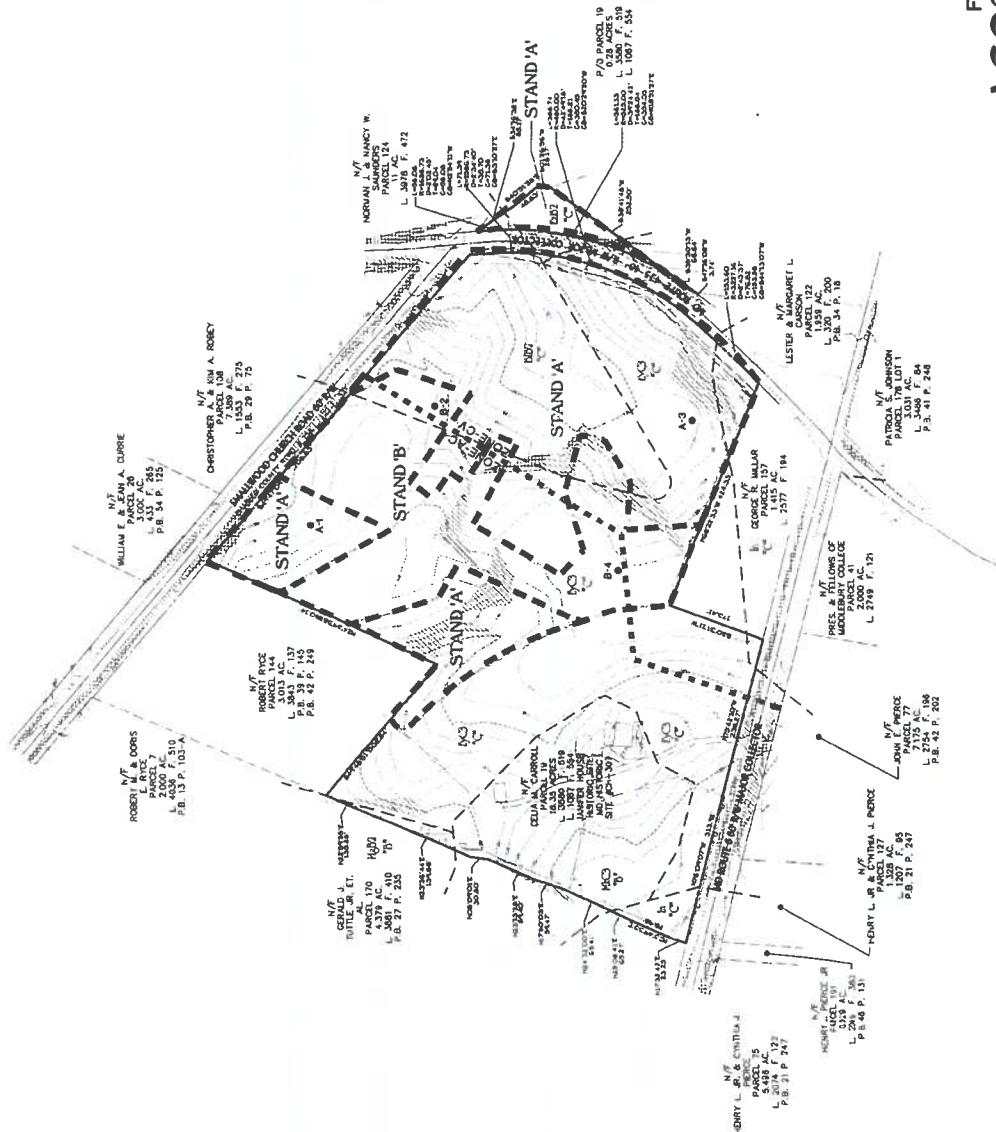
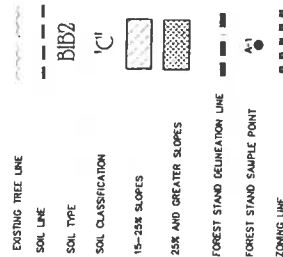
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SAY '2077' NORTH.

Abstracts from the Proceedings of the 1995 Annual Meeting of the American Society for the Advancement of Science, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672,



# LEGEND



## SITE TABULATION

Site: Agrianna Property,  
T3 Map, 41 Parcel 19  
3rd Election District  
Charles County, Maryland

Size:  
Total tract area = 18.36 Acres  
Total dedicated area = 4.44 Acres  
Total forested area = 13.92 Acres  
Total forested cover = 9.50 Acres

## GENERAL NOTES

1. The property was sold by Bolton & Associates, Inc. on 4/15/03.
2. The property was sold by Bolton & Associates, Inc. on 4/15/03.
3. The property was sold by Bolton & Associates, Inc. on 4/15/03.
4. The property was sold by Bolton & Associates, Inc. on 4/15/03.
5. The property was sold by Bolton & Associates, Inc. on 4/15/03.
6. The property was sold by Bolton & Associates, Inc. on 4/15/03.
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8. The property was sold by Bolton & Associates, Inc. on 4/15/03.
9. The property was sold by Bolton & Associates, Inc. on 4/15/03.
10. The property was sold by Bolton & Associates, Inc. on 4/15/03.
11. The property was sold by Bolton & Associates, Inc. on 4/15/03.

# FOREST STAND DELINEATION AGOSTINHO PROPERTY 3RD ELECTION DISTRICT CHARLES COUNTY, MARYLAND



STAND	ACRES	RETENTION VALUE	RETENTION CONTRIBUTION
A	3.97 AC	HIGHLY DRAINABLE SOILS	1.04
B	7.32 AC	WETLANDS	2.05

SOIL	HYDRO	HYDRO	HYDRO
Bellevue Sil Loam	100%	100%	100%
East Day Loam	100%	100%	100%
East Day Loam	100%	100%	100%
East Day Loam	100%	100%	100%
East Day Loam	100%	100%	100%
East Day Loam	100%	100%	100%
East Day Loam	100%	100%	100%
East Day Loam	100%	100%	100%
East Day Loam	100%	100%	100%
East Day Loam	100%	100%	100%



Copyright © 2004 Bolton & Associates, LLC  
1509 382-0781 FAX 1509 382-0782 102 Continental Street Suite 204-L, P.O. Box 20449  
Internet: www.boltonandassociates.com E-mail: info@boltonandassociates.com

NO.	DATE	BY	REVISION
1	11/20/03	1	OF 1
2	11/20/03	1	OF 1
3	11/20/03	1	OF 1
4	11/20/03	1	OF 1
5	11/20/03	1	OF 1
6	11/20/03	1	OF 1
7	11/20/03	1	OF 1
8	11/20/03	1	OF 1
9	11/20/03	1	OF 1
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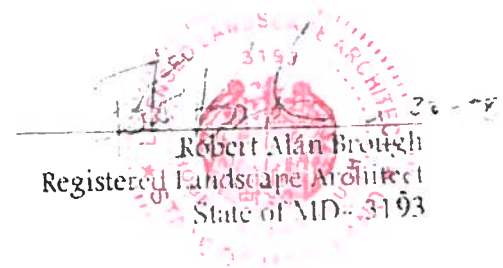
# Final Forest Conservation Report

For

## AGOSTIHO MINOR SUBDIVISION

3<sup>rd</sup> Election District  
Charles County, Maryland

CHARLES COUNTY
FINAL
FOREST CONSERVATION PLAN
FL # 05-664
4/17/2006
James Duley



Prepared for:

Celia Agostinho  
23593 Mitchell Drive  
Leonardtown, MD 20640  
(301) 399-4989  
Fax: (301) 475-5049

March, 2006

3<sup>rd</sup> review 3/28/6

## TABLE OF CONTENTS

	Page
INTRODUCTION	
I. FOREST STAND DELINEATION	3
II. FOREST CONSERVATION WORKSHEET	3
III. FOREST CONSERVATION PLAN & FIDS	3
IV. CONSTRUCTION TIMETABLE	4
V. FOREST PROTECTION PLAN	5
A. SHORT TERM	5
B. LONG TERM	6
VI. REFORESTATION/AFFORESTATION	6
VII. PROCEDURAL REQUIREMENTS	6
APPENDIX A: FOREST CONSERVATION WORKSHEET	
APPENDIX B: FINAL FOREST CONSERVATION PLAN	

## INTRODUCTION:

The total acreage of the Agostinho Minor Subdivision property contains 16.63+/- acres. Forest Stand Delineation was completed for 9.50 +/- forested acres in February of 2005. This site can be located on Tax Map 41, Grid 21, Parcel 19. Rt. 6 borders the site to the south, Rt. 425 borders the site to the east, Smallwood Church Road borders the site to the north and residential parcels borders the site to the west. Current zoning for the property is Agricultural Conservation (AC) and Village Commercial (CV). The property on Parcel 122, adjoining along the southwest boundary has a commercial land use designation. Adjoining properties to the west, north, and south are zoned Agricultural Conservation (AC). Adjoining property on the east is zoned Village Commercial (CV). Currently access to the site is made from Rt. 6.

There is one existing residential structure and numerous out buildings on the site located in the southwest quadrant of the site. The residential structure is listed as a Maryland Historic Site, CH-307, Janifer House.

### I. FOREST STAND DELINEATION

The Forest Stand Delineation has been submitted concurrently with the Minor Subdivision Plats.

### II. FOREST CONSERVATION WORKSHEET

The Forest Conservation Worksheet for the total tract has been attached.

### III. FOREST CONSERVATION PLAN & FIDS

Per the Forest Conservation Worksheet, this site is required to retain 5.09 acres of forest to satisfy the requirements of the Maryland State Forest Conservation Manual. Site conditions are such that the areas capable of supporting on site septic disposal, public road access requirements and existing forest location will not allow for the retention of the minimum 5.09 acres of forest. Land use and good land planning practices will require the clearing of 6.45 acres of forest to construct the proposed subdivision. The 3.27 acres of retained forest are contained in two (2) Forest Conservation Areas. Forest Conservation Area "A" will consist of 2.16 acres located in the northern section of the development, while Forest Conservation Area "B" consists of 1.11 acres along the eastern side. It is required that 2.81 acres of reforestation & afforestation be completed to fulfill the Forest Conservation requirements. Reforestation & afforestation will be completed onsite, by way of natural regeneration, and the plan can be found in Section VI, Reforestation/Afforestation Plan, of this report.

The Agostinho Minor Subdivision is zoned AC & CV. The attached Forest Conservation Worksheet shows that there can be a clearing of up to 4.41 acres of forest. A minimum of 5.09 acres of forest is required to be retained on-site with no mitigation. The majority existing forest is considered to have a low to moderate retention value.

The forest characteristic at Agostinho Minor Subdivision is fairly young in age, and adjoins an expansive tract of forest to the northwest. It is very unlikely that FIDS exist on this site, but every effort will be made to minimize impact in the event that FIDS do exist on-site in accordance with General Note #9.

In an attempt to minimize possible negative impacts on any FIDS, which may inhabit the forested areas, consideration was given to the following guidelines supplied by Maryland Department of Natural Resources:

1. Restrict development to non-forested areas.
2. If forest loss or disturbance is unavoidable, concentrate or restrict development to the following areas:
  - a. The perimeter of the forest (i.e., within 300 feet of existing forest edge)
  - b. Thin strips of upland forest less than 300 feet wide
  - c. Small, isolated forests less than 50 acres in size
  - d. Portions of the forest with low quality FIDS habitat, (i.e., areas that are already heavily fragmented, relatively young, exhibit low structural diversity, etc.)

Forest will be retained on the eastern, western and central portions of the site, which adjoins a large tract of contiguous forest and will provide high quality FIDS habitat. The single largest unbroken expanse of forest located on the western portion of the site was placed into the forest conservation plan. [By doing so this site is maintaining its portion of the expansive wildlife corridor in the area.] No non-tidal wetlands or Waters Of exist on the site. Every attempt was made to prevent the creation of isolated forested areas. Development has been restricted to the fringes of the large tract of contiguous forest located along the western boundaries of the site where feasible. Overall clearing and development has been limited to the fringes of this forested area, where impacts are most likely to occur. No disturbance is expected to take place in the retained forested area, including but not limited to under story clearing, cleaning, mowing or livestock grazing.

3. Maximize the amount of forest "interior" (forest area >300 feet from the forest edge) with each forest tract (i.e., minimize the forest edge: area ratio). Circular forest tract are ideal and square tracts are better than rectangular or long, linear forests.
4. Minimize forest isolation. Generally, forests that are adjacent, close to, or connected to other forests provide higher quality FIDS habitat than more isolated forests.

Overall site utilization and design retained forested areas that were contiguous to adjoining extended forest tracts. Conservation and Aforestation planning is designed to increase the forested area by placing the reforestation areas immediately adjoining existing areas. This will provide a higher quality FIDS habitat than more isolated forests.

5. Limit forest removal to the "footprint" of houses and to that, which is necessary for the placement of roads and driveways.
6. Minimize the number and length of driveways and roads.
7. Roads and driveways should be as narrow and as short as possible; preferably less than 25 and 15 feet, respectively.
8. Maintain forest canopy closure over roads and driveways.
9. Maintain forest habitat up to the edges of roads and driveways; do not create of maintain mowed grassy berms.

In accordance with FIDS guidelines, forest conservation has been provided around or along the perimeter of house, septic areas and access drives where feasible based on developmental and environmental site constraints. All access ways have been designed per the minimum requirement of the Charles County Ordinances with FIDS habitat in mind.

10. Maintain or create wildlife corridors.

Overall site utilization and design retained forested areas that were contiguous to adjoining extended forest tracts. Conservation and Aforestation planning is designed to increase the forested area by placing the reforestation areas immediately adjoining existing areas. This will provide a higher quality FIDS habitat than more isolated forests.

11. Do not remove or disturb forest habitat during April-August, the breeding season for most FIDS. This seasonal restriction may be expanded to February-August, if certain early nesting FIDS (e.g., Barred Owl) are present.
12. Landscape homes with native trees, shrubs and other plants and/or encourage homeowners to do so.
13. Encourage homeowners to keep pet cats indoors or, if taken outside, kept on a leash or inside a fenced area.
14. In forested areas reserved from development, promote the development of a diverse forest understory by removing livestock from forested areas and controlling white-tailed deer populations. Do not mow the forest understory or remove woody debris and snags.

Every effort will be made to avoid disturbance of forest habitat during the months of April-August habitat as to not disrupt the breeding season for most FIDS. Homeowners will be encouraged to landscape homes with native trees, shrubs and other plants. Homeowners will also be encouraged to keep pet cats indoors when feasible. We will promote the development of a diverse forest understory by conveying this information to the homeowners.

15. Aforestation efforts should target a) riparian or streamside areas that lack woody vegetative buffers, b) forested riparian areas less than 300 feet wide, and c) gaps or peninsulas of nonforested habitat within or adjacent to existing FIDS habitat.

Aforestation efforts will target areas that are contiguous to adjoining extended forest tracts. Aforestation planning will increase the forested area by placing the reforestation areas immediately adjoining existing areas. This will provide a higher quality FIDS habitat than more isolated forests.

Other actions that would minimize impacts to or benefit FIDS will be considered during the planning and design phases.

#### IV. CONSTRUCTION TIMETABLE

1. The contractor shall arrange for stakeout/ flagging of forest retention and limits of clearing. 1 week
2. Perform sufficient clearing and grubbing for the installation of sediment control devices and measures. 1 week
3. Install sediment control devices and measures: 1 week
  - a. Install Stabilized Construction Entrance: SCE-1
  - b. Install Silt Fences and Earth Dikes.
  - c. Construct Sediment Trap.
  - d. Construct remaining sediment control devices.
  - e. Stabilize dikes, traps & stockpiles
4. Call Maryland Department of the Environment at (410) 631-3510 to schedule an inspection of the sediment and erosion control plan implementation. 2 days
5. Complete clearing and grubbing within the limits of disturbance. 2 weeks
6. Perform rough grading. 3 weeks
7. Seed and mulch all exposed areas not being actively worked. 1 day
8. Install utility lines and storm drain/storm water management system. 6 weeks
  - a. Install utilities
  - b. Install all pipes and inlets
  - c. Provide storm drain inlet protection
9. Backfill to subgrade and perform final grading. 3 weeks
10. Install curb and gutter, paving, and traffic signs. 5 weeks
11. Remove sediment traps and construct water quality basin. 1 week
12. Clean up construction site. 1 week
13. Seed and mulch all newly graded areas. 1 week
14. After stabilization and following inspection and approval by the Maryland Department of the Environment, remove sediment control devices. 1 week



## V. FOREST PROTECTION PLAN

### A. Short Term

1. Prior to the start of any construction, the boundary of the Forest Conservation Easement shall be delineated with blue flagging and forest retention signage.
  - Flagging shall be affixed to the primary trunk of trees two (2) inches or greater, attached to stakes four (4) feet or greater, or a combination of the two.
  - Flags shall be placed no more than fifty (50) feet apart, with at least two (2) flags for each affected lot.
  - Forest retention signage shall be the type shown in Appendix "D" of the 1997 Forest Conservation manual, or a type approved by Charles County Environmental Planner.
  - Signs shall be placed at the easement boundary as indicated on the Forest Conservation Plan.
2. Prior to the recordation of the final plat or the start of construction, whichever occurs first, forest protection fencing, as shown in Appendix "D" of the Forest Conservation Manual shall be installed. Forest protection fencing shall be located at the limits of disturbance in all areas where disturbance is proposed to come within forty (40) feet of the Forest Conservation Easement.
  - Location of forest protection fencing to be installed as shown on the Final Forest Conservation Plan.
3. Prior to recordation of the final plat or the start of construction, whichever occurs first, the applicant shall arrange a Pre-Construction Meeting with the Charles County Environmental Planner (301) 934-8421, to address the implementation of the Forest Conservation Plan.
  - The installation of flagging, signage, and any required fencing will be inspected at the meeting.
4. Following construction, the applicant shall arrange a Post-Construction meeting with the Charles County Environmental Planner (301) 645-0653, to address the implementation of the Forest Conservation Plan.
  - Compliance with observing the limits of disturbance will be inspected and approval to remove forest protection fencing will be granted at the discretion of the Charles County Environmental Planner.
  - Flagging and signage shall remain for a period of two (2) years after the recording of the Final Plat.

5. Only such uses that are compatible with forest conservation will be allowed within the Forest Conservation Easement. Such uses may be, but not limited to wildlife, habitat, and/or forest management, nature/hiking trails or comparable uses.

## B. LONG-TERM

Long-term protection is proposed in the form of a Forest Conservation Easement. This easement limits those uses, which are designated in the State Forest Conservation Manual. These uses are consistent with passive recreation, forest conservation and forest management practices that are used to preserve forest. A Forest Management Plan will be submitted after approval of the Final Forest Conservation Plan that will allow the forest, placed in the Conservation Easement, to be selectively logged. The Forest Management plan will describe environmentally sound practices and those that do not unnecessarily impact any environmentally sensitive areas. By selectively logging mature trees within this area, new growth will be encouraged and the forest within the Conservation Easement will, over time, develop into a valuable habitat area. By the establishment of this easement, the following are consistent with the purpose of the conservation easement as outlined in the Forest Conservation Manual (Appendix F):

1. Removal of dead, dying or diseased trees.
2. The removal or control of invasive, noxious, or detrimental species.
3. Limited clearing of understory. The removal of vegetation may require replacement.
4. Passive recreation.
5. Forest & wildlife management.

## VI. REFORESTATION / AFFORESTATION PLAN

Afforestation will be performed onsite to fulfill the requirements of the Forest Conservation Requirements. A total of 2.81 acres, of currently open field ~~lawn~~ area will be reserved for natural regeneration. The location of the natural regeneration area will be along the southern, and northwest western boundaries. Wherever possible, the natural regeneration is planned to adjoin existing forest. This is being done so that the regeneration areas become part of the overall larger forested tract.

### Natural Regeneration Plan:

No special monitoring is generally carried out when using Natural Regeneration. Forest regeneration is the act of renewing tree cover by establishing young trees naturally.

Since natural regeneration is expected to take place in these areas should meet growth requirements unless natural disaster occurs after 2 years.

## VIII. PROCEDURAL REQUIREMENTS

The applicable protective mechanisms will be required as shown and detailed on the Forest Conservation Plan. Refer to V. Forest Protection Plan, for details.

APPENDIX A  
FOREST CONSERVATION WORKSHEET

Worksheet 2.0  
22-Mar-06

**NET TRACT AREA:**

A. Total Tract Area	A=	16.63
B. Deductions (100 yr flood, agricultural production, land transfer & paved area)	B=	0.68
C. Net Tract Area	C=	15.95

**LAND USE CATEGORY:** (state forest conservation technical manual, second edition, p.85)

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

ARA	MDR	IDA	HDR	MPD	CIA
0	1	0	0	0	0
D. Afforestation Threshold:	Net Tract Area (C) x	20%	D=	3.19	
E. Conservation Threshold:	Net Tract Area (C) x	25%	E=	3.99	

**EXISTING FOREST COVER:**

F. Existing Forest Cover within Net Tract Area	F=	9.50
G. Area of Forest above Conservation Threshold	G=	5.51

**BREAK EVEN POINT:**

H. Breakeven Point (amount of forest that must be retained without mitigation)	H=	5.09
I. Clearing Permitted without Mitigation	I=	4.41

**PROPOSED FOREST CLEARING:**

J. Total Area of Forest To Be Cleared	J=	6.45	Cannot exceed
K. Total Area of Forest To Be Retained	K=	3.27	forested acre

**PLANTING REQUIREMENTS:**

L. Reforestation for Clearing above Conservation Threshold	L=	1.38	
M. Reforestation for Clearing below Conservation Threshold	M=	1.44	0.00
N. Credit for Retention above Conservation Threshold	N=	0.00	
P. Total Reforestation Required	P=	2.81	1.00
Q. Total Afforestation Required	Q=	0.00	
R. Total Regeneration Required	R=	2.81	

APPENDIX B  
FINAL FOREST CONSERVATION PLAN





## Appendix C: MDNR Environmental Review



Larry Hogan, Governor  
Boyd Rutherford, Lt. Governor  
Jeannie Haddaway-Riccio, Secretary  
Allan Fisher, Deputy Secretary

July 25, 2022

Mr. Gahr Lessner  
Lorenzi, Dodds, & Gunnill, Inc.  
3475 Leonardtown Road, Suite 100  
Waldorf, Maryland 20601

**RE: Environmental Review for Agostinho Property (aka Effect, Inc. Property), 5965 Smallwood Church Road, Indian Head, Tax Map 41, Parcel 175, Charles County, Maryland.**

Dear Mr. Lessner:

The Wildlife and Heritage Service has no official records for State or Federal listed, candidate, proposed, or rare plant or animal species within the project area shown on the map provided. As a result, we have no specific concerns regarding potential impacts to such species or recommendations for protection measures at this time. If the project changes in the future such that the limits of proposed disturbance or overall site boundaries are modified, please provide us with revised project maps and we will provide you with an updated evaluation.

Thank you for allowing us the opportunity to review this project. If you should have any further questions regarding this information, please contact me at [lori.byrne@maryland.gov](mailto:lori.byrne@maryland.gov) or at (410) 260-8573.

Sincerely,

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

ER# 2022.0987.ch

## Appendix D: USFWS IPaC Review



## United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Chesapeake Bay Ecological Services Field Office  
177 Admiral Cochrane Drive  
Annapolis, MD 21401-7307  
Phone: (410) 573-4599 Fax: (410) 266-9127



In Reply Refer To:  
Project Code: 2022-0057126  
Project Name: Agostinho Property

RECEIVED  
JUN 23 2022  
BY: LDE

June 23, 2022

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

### To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological

evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

**Migratory Birds:** In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see <https://www.fws.gov/birds/policies-and-regulations.php>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see <https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/birds/policies-and-regulations/executive-orders/e0-13186.php>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Wetlands



## Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

**Chesapeake Bay Ecological Services Field Office**

177 Admiral Cochrane Drive

Annapolis, MD 21401-7307

(410) 573-4599

## Project Summary

Project Code: 2022-0057126

Event Code: None

Project Name: Agostinho Property

Project Type: New Constr - Above Ground

Project Description: subdivision of four (4) single family lots. To be used for individual single family dwelling served by private wells, septic reserve area, and driveways

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@38.49299955,-77.15943063512236,14z>



Counties: Charles County, Maryland

## Endangered Species Act Species

There is a total of 2 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 2 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

- 
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

## Mammals

NAME

STATUS

Northern Long-eared Bat *Myotis septentrionalis*

Threatened

No critical habitat has been designated for this species.

This species only needs to be considered under the following conditions:

- Projects with a federal nexus that have tree clearing = to or > 15 acres: 1. REQUEST A SPECIES LIST 2. NEXT STEP: EVALUATE DETERMINATION KEYS 3. SELECT EVALUATE under the Northern Long-Eared Bat (NLEB) Consultation and 4(d) Rule Consistency key

Species profile: <https://ecos.fws.gov/ecp/species/9045>

## Insects

NAME

STATUS

Monarch Butterfly *Danaus plexippus*

Candidate

No critical habitat has been designated for this species.

This species only needs to be considered under the following conditions:

- The monarch is a candidate species and not yet listed or proposed for listing. There are generally no section 7 requirements for candidate species (FAQ found here: <https://www.fws.gov/savethemonarch/FAQ-Section7.html>).

Species profile: <https://ecos.fws.gov/ecp/species/9743>

## Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

## **USFWS National Wildlife Refuge Lands And Fish Hatcheries**

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

## Wetlands

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

WETLAND INFORMATION WAS NOT AVAILABLE WHEN THIS SPECIES LIST WAS GENERATED. PLEASE VISIT [HTTPS://WWW.FWS.GOV/WETLANDS/DATA/MAPPER.HTML](https://www.fws.gov/wetlands/data/mapper.html) OR CONTACT THE FIELD OFFICE FOR FURTHER INFORMATION.

### **IPaC User Contact Information**

Agency: Lorenzi, Dodds, & Gunnill, Inc.  
Name: Gahr Lessner  
Address: 3475 Leonardtown Road  
Address Line 2: Suite 100  
City: Waldorf  
State: MD  
Zip: 20602  
Email: glessner@ldgwaldorf.com  
Phone: 3016452254









ENGINEERS • SURVEYORS • PLANNERS • LANDSCAPE ARCHITECTS

Revised: October 28, 2025

August 11, 2025  
LDG# 229051

Charles County Planning Commission  
County Administration Building  
200 Baltimore Street  
La Plata, MD 20646

Re: Application for Liberty Bell Subdivision under Section 104 of the Subdivision Regulations for Variance from Section 278-80 B(1) of the Subdivision Regulations for the creation of Five (5), One (1) acre S.F. lots on a private right-of-way.

Dear Planning Commission:

This office represents Sandy Ruiz Development, LLC. ("Applicant") in connection with the above-referenced Application for a Section 104 Variance under the Subdivision Regulations.

The Applicant is the fee simple owner of a parcel of property (the "Property") located on Tax Map 41, Grid 21, Parcel 175 in the 3<sup>rd</sup> Election District of Charles County, Maryland. The proposed subdivision on the Property is known as "Liberty Bell". The Applicant acquired the Property by Deed dated June 17, 2022 (Liber 12599 Folio 314). The Property contains approximately 5.667 acres.

The Property is currently vacant and unimproved. It was timbered a few years ago, thus new forest growth covers the Property. The perc testing has previously been performed and the Sewage Easement Plat is currently under review at the CCHD.

The Property is bounded to the north by Smallwood Church Rd (Public Road). To the east by RT 425 (MSHA R.O.W). To the south by Tax Map 52- Parcel 157. This is a commercial use and is zoned CV. To the west by Lot 2- a residential house on a 3.499 acre Parcel that is zoned AC, and Lot 3 – a residential lot containing 3.0 acres, more or less, in the AC zone. The Property is zoned CV and lies in a Tier 3 as per the Sustainable Growth and Agricultural Preservation Map dated July 12, 2016.

The Applicant proposes 5 residential S.F. Lots, all to be served by a private drive. No Lots are proposed to have direct access to Smallwood Church Rd or to RT 425. The private drive to be created with this subdivision, Ranstead Place, will be owned and maintained by a homeowners association for the subdivision, to be formed. A homeowners association declaration, to include a joint use access and maintenance easement covenant for the private drive will be prepared and recorded, as required by Section 278-80G of the Subdivision Regulations.

The concept plan (CSP 240002) for this neighborhood was presented to the Planning Commission on September 16, 2024. Although several members of the public testified, no objections to density were stated. An Environmental Impact study and a Fiscal Analysis study have been proposed and submitted to PGM for review along with the preliminary plan application (PSP 250001).

Charles County Planning Commission  
 LDG# 229051  
 August 11, 2025  
 Revised: October 6, 2025

To accomplish the proposed subdivision of the Property, the Applicant is requesting a variance from Section 80(B) of the Subdivision Regulations, which states, in pertinent part, "New lots for single family detached buildings may be provided on a private right-of-way only after being found to comply with the following criteria:

- (1) All lots must be greater than three acres in size, unless using the cluster provisions of the RC, WCD and AC zones, and be for single family detached dwelling units or agricultural uses;
- (2) A private right-of-way being created with the proposed subdivision is a fee simple portion of the parcel being subdivided;
- (3) Use of existing private rights-of-way for new lots being created are only permitted where the parcel being subdivided does not have frontage on a public road;
- (4) There can be no more than seven lots for single family detached dwellings using the private right-of-way as a shared access."

The proposed subdivision on the Property complies with all of the above requirements, except only that the proposed lots within this subdivision shall be one (1) acre in size rather than "greater than three acres in size", as required by Subsection (1) above. Accordingly, the Applicant seeks a modification from the acreage requirement of Subsection (1) under Section 104 of the Subdivision Regulations.

Section 104 of the Subdivision Regulations provides that the Planning Commission may grant a variance from the "strict application" of the Subdivision Regulations "when... by reason of...extraordinary situations or conditions of specific parcels of property, the strict application of [the Subdivision Regulations] ... would result in peculiar or unusual practical difficulties to, or exceptional or undue hardship upon the owner of said Property. "Further, Section 104B indicates that "the Planning Commission shall not grant modifications that will substantially impair the intent, purpose and integrity of [the Subdivision Regulations]... or any County Ordinance". To obtain a variance under Section 104, the Applicant must demonstrate that it meets the criteria of Section 104(C). As such, the Applicant offers the following in response to the specific enumerated requirements of Section 104 (C) of the Subdivision Regulations:

***(1) That special conditions or circumstances exist that are unique to the subject property or structure and that a strict enforcement of the provisions of these regulations would result in unwarranted hardship which is not generally shared by owners of property in the same land use classification.***

CV zoned property permits one (1) acre lots per Figure VI-3 of the Charles County Zoning Ordinance. The Applicant purchased the Property with this in mind. The Applicant proposed and submitted Concept Plan (CSP 240002), which was reviewed by PGM, appeared on the Planning Commission Agenda and commented on by members of public on September 12, 2024. The Subdivision Regulation Section 80(B) was not an issue and density, or size of the lots, was never mentioned by the public. It should also be noted that Smallwood Church Road is designated as a minor collector (per road ordinance) and Mason Springs Road (RT 425) is a major collector. As per section 79(A) of the Subdivision Regulations, individual driveway access points should be limited if other options are possible. Section 79(A) states:

"Driveway Access to arterial and collectors not permitted. Driveway access may not be provided from lots within a major subdivision to a parkway or arterial road. Driveway access

Charles County Planning Commission  
 LDG# 229051  
 August 11, 2025  
 Revised: October 6, 2025

to collector roads for any subdivision may also be limited or prohibited based on the amount of traffic carried and the function of the road within the local road network. Where driveway access from a major subdivision to a collector road may be necessary for several adjoining lots, or for a minor subdivision to any road classified as a collector road or greater, the Planning Commission may require that such lots be served by a shared access driveway in order to limit possible traffic hazard on such road. The developer is responsible for demonstrating that an alternative access route cannot be used for that lot."

As stated above, The Planning Commission should promote the use of private/ shared access to residential lots.

There are several other existing subdivisions in Charles County with one (1) acre lots on a private road. Examples of this are:

- a) Keswick (PB 62 PN 493) Hutton Place Lots 67 and 68
- b) Turtle Creek (PB 60 PN 309) Musk Turtle Place Lots 37A, 37B, 37C
- c) Carriage Crossing (PB 3651 PN 171) Rosecroft Place Lots 98A, 99A, 100A, 101A, 102A, 103A
- d) Eastern Hills (PB 52 PN 294) Peak Run Place Lots 21, 22, 23, 24, 25, 26
- e) Belmont (PB 60 PN 425) Olivia Floyd Place Lots 118, 12, 13, 14, 15
- f) Hunter Springs (PB 60 PN 585) Pheasant Creek Place Lots 15A, 16A, 17A

To deprive this landowner of one (1) acre lots on a private drive would be unfair as this is obviously a common practice shared by many others in Charles County. None of the provided examples have required a Section 104 Variance for this type of Land Development. It should also be noted that if a public road was proposed to service these lots, the lot size would be reduced and would not meet the minimum lot size in CV zone.

***(2) That strict enforcement of the provisions of these regulations would deprive the property owner of rights commonly shared by other owners of property in the area.***

As listed above, strict application of the Subdivision Regulations would deprive the Applicant's right to subdivide lots as proposed on the Property. The foregoing are rights commonly shared by other owners of property in Charles County in the surrounding area.

***(3) That the granting of a modification will not confer upon an applicant any special privilege that would be denied to other owners of like property and/or structures within the same zone/land use classification.***

The Applicant does not seek the variance for economic gain or for commercial purposes. In fact, the Applicant's intended use of the Property is much less intrusive than the potential use of the Property for commercial development. The Applicant gains no advantage from the variance other than the right to subdivide homesites into residential lots. Thus preserving the

Charles County Planning Commission  
 LDG# 229051  
 August 11, 2025  
 Revised: October 6, 2025

rural nature of the Property. Additionally, there are residential lots throughout Charles County located on private drives and rights-of-way. It is clear that Section 80(b) of the Subdivision Regulations, preventing the use of a private road for lots smaller than 3 acres, was not intended to address the situation presented in this case. In fact, a strict application of Section 80(b) would have the unintended result of hindering the Applicant's intended use of the Property. Section 80(b) was obviously not intended to have such results. Further, based on the examples listed above, there are many subdivisions within the County that contain lots smaller in size than three (3) acres which are served by private roads. Accordingly, the granting of this Section 104 Variance will not confer upon the Applicant any special privilege denied of other owners of like property within the same zone/land use classification.

***(4) That the modification request is not based upon conditions or circumstances which are self-created or self-imposed.***

All of the examples listed above are similar in lot sizes with private drive. None of the examples have been required to acquire a Section 104 Variance. All of the examples are currently existing with private roads/joint use access easements. All have a homeowners association to ensure the common maintenance. Liberty Bell will be designed similar. However Liberty Bell will have a Cul-de-sac for vehicle turn around, which the examples listed do not.

***(5) That greater profitability or lack of knowledge of the restrictions shall not be considered as sufficient justification for a modification.***

As stated above, greater profitability is not a motivation for the Applicant's request in this case. In addition, the Applicant does not argue "lack of knowledge" of the restrictions of Section 80(b) of the Subdivision Regulations. It is recognized that the Applicant intends to "profit" from the sale of lots within this subdivision, once the subdivision is approved and recorded. However, under applicable law, the fact that the Applicant will derive an economic benefit from the Project, does not demonstrate a situation of "greater profitability" as a "motivation" for a variance request, it being understood that most, if not all, land use proposals are intended to result in economic gain.

***(6) That the proposed modification is consistent with the Charles County Comprehensive Plan.***

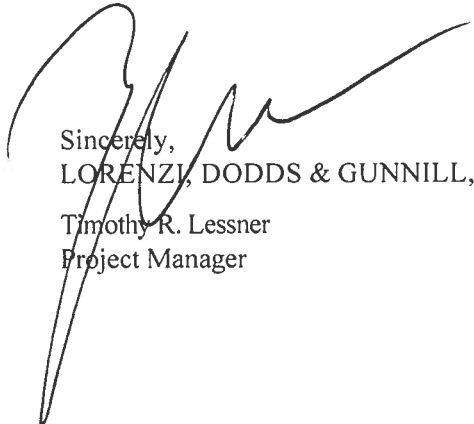
The Applicant's proposed use of the Property will maintain the rural nature of this parcel. The Applicant's proposed use will also prevent a much more intrusive commercial development on the Property. The Property is located in a TIER 3 and an Agricultural Conservation District, as denoted on the Charles County Comprehensive Plan. This Application if granted will help promote the efficient use of land resources within the County and will help provide a variety of housing choices for persons within the County who may not choose to reside in a designated development district. Moreover, this Application will promote the health, safety and welfare of the citizens of Charles County, by allowing for safe and efficient access to the public roads that surround this proposed subdivision, minimizing access points and thereby promoting traffic safety. The use of a private drive rather than a public road will create a lesser environmental impact and the county government will not be responsible for maintaining of said private drive.

For the foregoing reasons, the Applicant respectfully requests as follows:

Charles County Planning Commission  
LDG# 229051  
August 11, 2025  
Revised: October 6, 2025

1. That the Charles County Planning Commission grant to the Applicant a variance under Section 104 of the Subdivision Regulations from the requirements of Section 80B(1) of the Subdivision Regulations.
2. That said variance allows the Applicant to create five (5) S.F lot/ all approximately one (1) acre in size, to access to from a private drive known as the Ranstead Place.

Thank you for your time and attention to this matter.



Sincerely,  
LORENZI, DODDS & GUNNILL, INC.  
Timothy R. Lessner  
Project Manager

cc: Bill Sandy

# Item Cover Page

## PLANNING COMMISSION AGENDA ITEM REPORT

**DATE:** January 12, 2026

**SUBMITTED BY:** Amy Brackett

**ITEM TYPE:** Administrative

**AGENDA SECTION:** PUBLIC MEETING: PUBLIC COMMENTS

**SUBJECT:** Cedar Ridge, CSP-250001

**Application:** The Lorenzi, Dodds, and Gunnill Inc. is requesting review of a Conceptual Subdivision Plan for a Major Subdivision in accordance with the Charles County Subdivision Regulations, Section 298-23, Major subdivision applications review stages. Cedar Ridge, CSP-250001 is a Conceptual Subdivision Plan that proposes a residential development of approximately thirty-three (33) single-family homes on 63.61 acres zoned Rural Residential (RR) off Charles Street in La Plata, Maryland.

**Notification:** The Applicant is required to provide notice of the Public Meeting, via certified mail, to the property owners of properties within 200 feet of the proposed site. The Applicant is also required to post the property with signs advertising the Public Meeting. One sign on the side of the property that abuts a public or private road is required, and two signs are required for properties with a street frontage of more than 200 feet. In this instance, the signs shall be posted as to be faced in opposite directions so as to be visible by the public and traffic traveling in either direction parallel to the street frontage.

**Planning Commission Action:** The Planning Commission does not take action on Conceptual Subdivision Plans. The primary purpose of the Public Meeting is to acquire public input on the conceptual subdivision. In accordance with § 278-251 of the Subdivision Regulations, a list of comments and concerns as articulated at the Public Meeting will be prepared and presented by PGM staff to the Applicant, to which a response is required from the Applicant as part of their future application of a Preliminary Subdivision Plan.

**Applicant (Agent):**

Mausen Homes, LLC. (Lorenzi, Dodds & Gunnill Inc.)

**Staff:**

Hunter Zinn, Planner I

**Public Participation:**

The Meeting is open to the public and may be attended in person or viewed on CCGTV (Comcast: 95 and Verizon FIOS: 10).

Written Public Comments can be submitted online by using the webform located [HERE](#). Written comments must be received by 4:30 p.m. on Friday, January 9, 2026 in order to allow the Planning Commission time to review them prior to the Meeting. Written comments received after this time and before the closing of the record will be included in the record, but are not guaranteed to be reviewed.

Those wishing to provide comments by speaking during the Public Comment portion of the Meeting may choose to either speak virtually or attend the Meeting in person. Virtual speaker registration forms can be submitted online by using the webform located [HERE](#). Virtual speaker registration forms must be received by 4:30 p.m. on Friday, January 9, 2025.

**SUGGESTED ACTION:**

**ATTACHMENTS:**

[Memo to the Planning Commission](#)  
[Conceptual Subdivision Plan](#)  
[Cedar Ridge\\_CSP250001\\_Location Map](#)  
[Cedar Ridge\\_CSP250001\\_Zoning Map](#)  
[Cedar Ridge\\_CSP250001\\_Aerial Map](#)  
[Cedar Ridge\\_CSP250001\\_Adj Property Map](#)  
[Letter of Notification Cedar Ridge](#)



# INTEROFFICE MEMORANDUM

Equal Opportunity Employer



<b>TO:</b>	Charles County Planning Commission
<b>FROM:</b>	Hunter Zinn, Planner I, Planning Division <i>Department of Planning &amp; Growth Management (PGM)</i>
<b>SUBJECT:</b>	Conceptual Subdivision Plan: Cedar Ridge, CSP-250001
<b>DATE:</b>	December 17, 2025

Conceptual Subdivision Plans (CSP) are “sketch” plans that are basic in nature, providing the details that define the project, and are required to comply with the requirements of Appendix A of the Subdivision Regulations (attached). Further details and approvals such as Stormwater Management, Forest Conservation, Traffic Impact Study, and Archaeology are not required at this time.

Section 278-23A(2) of the Subdivision Regulations outlines the review process for Conceptual Subdivision Plans (CSP). The CSP is required to be submitted prior to the Preliminary Subdivision Plan (PSP) and is to be presented to the Planning Commission at a Public Meeting in order to afford the public an opportunity to become better informed regarding proposed development within the County. Signs are required to be posted to the subject property and notification is required to be mailed to the adjacent property owners. The Planning Commission hosts the Public Meeting but does not issue an approval of the CSP. A summary of the public comments voiced at the Public Meeting will be prepared by PGM staff and provided to the Applicant, who will be required to provide a written response to the summary as part of the future PSP submittal. The Applicant will have one (1) year to submit a PSP following the presentation of the CSP to the Planning Commission.

On October 21, 2025, Lorenzi, Dodds & Gunnill, Inc. submitted its Conceptual Subdivision Plan for Cedar Ridge, CSP-250001. The Plan has been reviewed by staff for compliance with applicable regulations and, in accordance with § 278-23A(2) of the Subdivision Regulations, the Public Meeting with the Planning Commission is scheduled for January 12, 2026. As a result, a copy of the following items are attached for consideration: (1) the Conceptual Subdivision Plan; (2) Location, Zoning, and Aerial maps of the property subject to the CSP; (3) Adjacent Property Owner Map & Listing prepared by PGM staff that identifies the properties (within 200 feet of the boundary lines of the property subject to the CSP) whose owners must receive notification; and, (4) a copy of the notification being sent (by the applicant).

cc: Charles Rice, AICP, Planning Director  
Heather Kelley, AICP, Planning Supervisor  
CSP-250001 (via Amy Brackett)



Charles County Government  
Emergency Services  
911 Addressing Office

Subdivision Name Reservation

Subdivision Name: CEDAR RIDGE

Requesting Party: Tim Lessner @ LOG

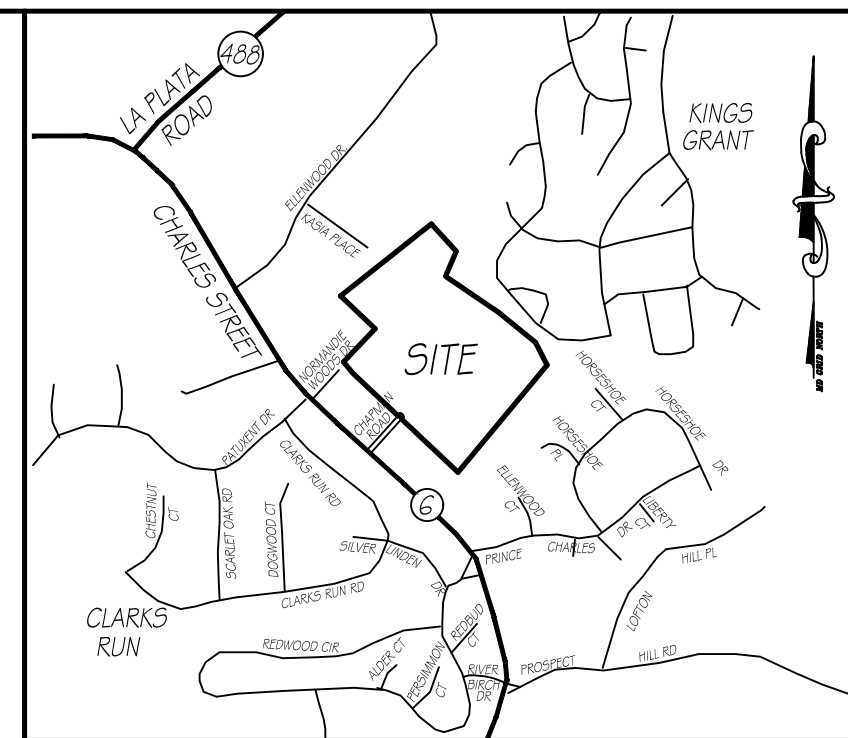
911 Coordinator: NMS

Reserved Date: 10/20/2025



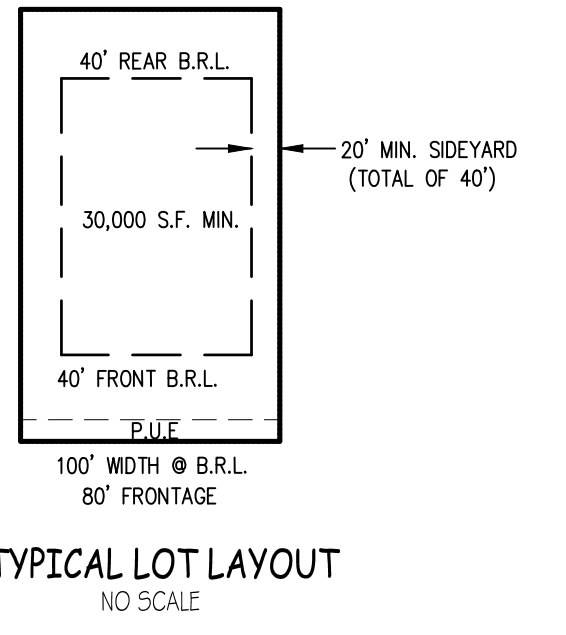
ENVIRONMENTAL NOTES

1. THIS SITE IS LOCATED IN MARYLAND TIER II HIGH QUALITY WATERSHED WITH NO ASSIMILATIVE CAPACITY.



- GENERAL NOTES
- PARCEL INFORMATION: T.M. 44, S. 23, P. 221; TAX ID 01-010413; L. 13310 F. 88; P.B. 7 P. 29; 28.33 ACRES
  - TOTAL SITE AREA: 63.61 ACRES
  - OPEN SPACE REQUIRED: 9.54 ACRES (15%)
  - OPEN SPACE PROVIDED: 15.98 ACRES (25%)
  - ZONE: RR (RURAL RESIDENTIAL)
  - SEWER CATEGORY: S-6
  - WATER CATEGOR: W-4E
  - RURAL FIRE PROTECTION IS MET BY THE PUBLIC WATER SYSTEM IN CLARK'S RUN SUBDIVISION IN THE TOWN OF LA PLATA
  - THIS PROPERTY LIES IN SEPTIC TIER 2 AS PER THE SUSTAINABLE GROWTH AND AGRICULTURAL PRESERVATION ACT TIER AREA DESIGNATION MAP DATED 7/15/16
  - STREAMS SHOWN HEREON WERE FIELD VERIFIED BY LORENZI, DODDS & GUNNILL, INC. ON 10-9-25
  - A RESOLUTION FOR THE NAME CHANGE FROM 'CHAPMAN ROAD' TO 'CHAPMAN COURT' MUST BE PRESENTED BY THE 911 ADDRESSING OFFICE AND ADOPTED/ASSIGNED BY THE COUNTY COMMISSIONERS.
  - OWNER: MAUSEN HOMES, LLC; 4949 DELIVERANCE PLACE; LA PLATA, MD 20646
  - ENGINEER: LORENZI, DODDS & GUNNILL, INC.; 3475 LEONARDTOWN ROAD, SUITE 100; WADSWORTH, MD 20602; (301) 445-2254; ATTN: TIMOTHY R. LESSNER

- LEGEND:
- TOWN OF LA PLATA BOUNDARY
  - PROPERTY BOUNDARY
  - ADJACENT PROPERTY BOUNDARY
  - BUILDING RESTRICTION LINE
  - EXISTING 2' CONTOUR
  - EXISTING 10' CONTOUR
  - DRAINAGE DIVIDE
  - STREAM
  - LIMIT OF NON-TIDAL WETLANDS
  - 25' WETLAND BUFFER
  - LIMIT OF RPZ
  - EXISTING TREELINE
  - PERC TEST
  - SEPTIC EASEMENT AREA
  - HOUSE LOCATION
  - 15% - 25% STEEP SLOPES
  - 25% OR GREATER SLOPES
  - NATURAL TRAIL



PROFESSIONAL CERTIFICATE

I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland, License No. 13310, Expiration Date: 1-30-27.

James C. Lorenzi, P.E.

12/30/2025

Date

ZONING REGULATIONS

Figure VI-2

Schedule of Zone Regulations: Rural Residential Zones

[Amended 12-11-2000 by Ord. No. 00-93; 6-16-2003 by Bill No. 2003-03]

ABBREVIATIONS:

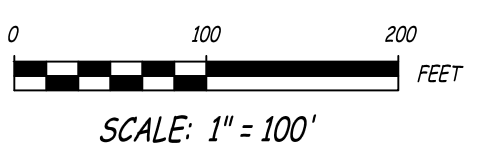
du: Dwelling unit.

FAR: Floor area ratio. An intensity measured as a ratio derived by dividing the total floor area of a building by the base site area.

ISR: Impervious surface ratio. The ratio derived by dividing the area of impervious surfaces are those which do not absorb water. They consist of all buildings, parking areas, driveways, roads and sidewalks.

Uses	Minimum Lot Criteria					Minimum Yard Requirements (feet)				Maximum Height		Lot Coverage	Intensity	Minimum Open Space	Maximum ISR	Minimum Tract Size
	Area	Square Feet per du	Width (feet)	Depth (feet)	Frontage (feet)	Front	Side	Total	Rear	Feet	Stories					
RR Zone																
Residential	3.00.000	30,000 square feet	100	150	80	40	20	40	40	36	3	25%		15%		

CONCEPTUAL PLAN



NOTE: SUBDIVISION ENTRANCE AND MD ROUTE 6 ROAD IMPROVEMENTS TO BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH MARYLAND STATE HIGHWAY ADMINISTRATION REQUIREMENTS.

REVISIONS

12/10/2025 PER PGM

OCTOBER 2025

CONTRACT REFERENCE

209161

LORENZI, DODDS, AND GUNNILL, INC.

ENGINEERS - PLANNERS - SURVEYORS

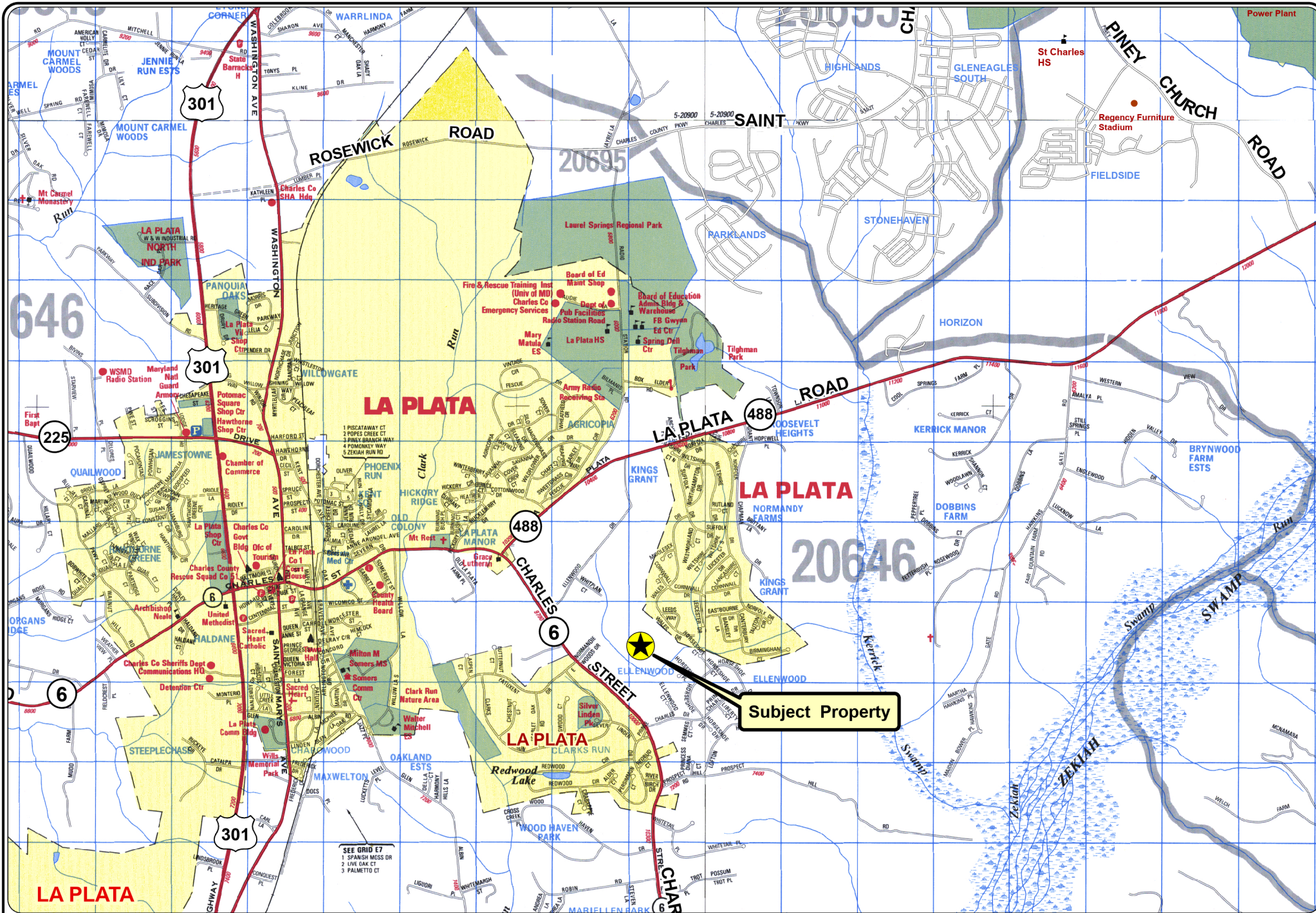
WWW.LDGENEERS.COM

1

OF 1

CSP 250001

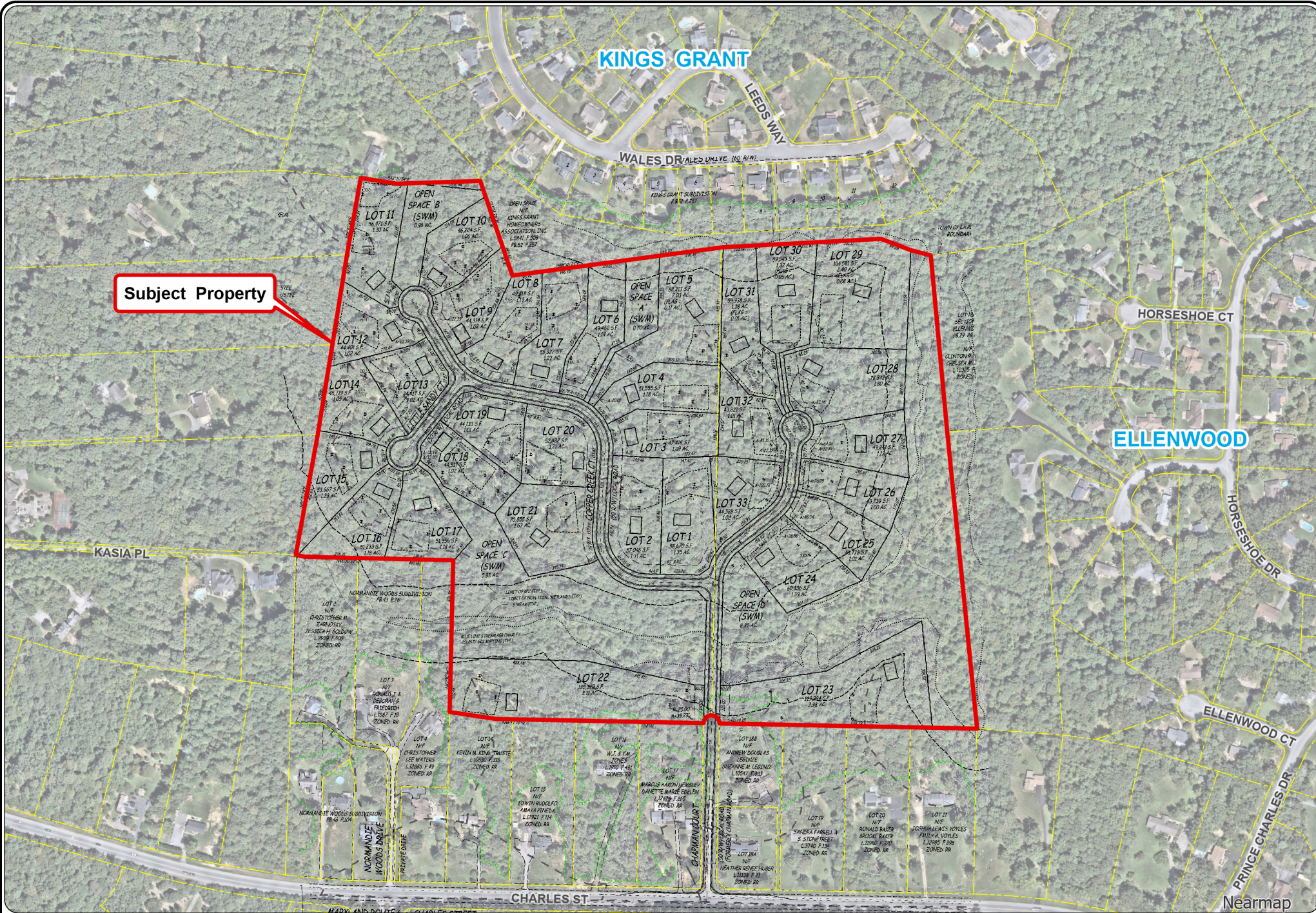




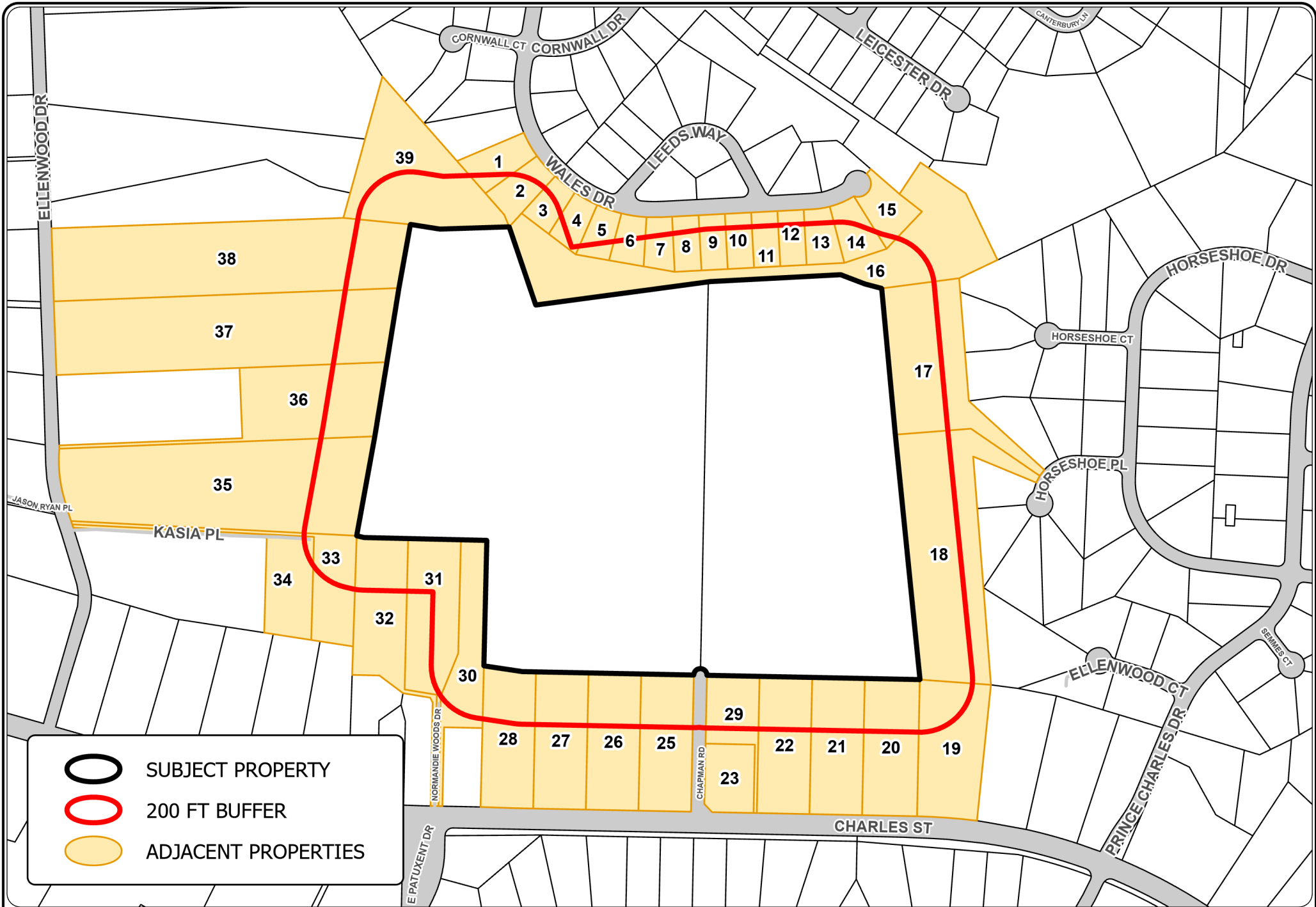












SUBJECT PROPERTY



200 FT BUFFER



ADJACENT PROPERTIES



**Charles County**  
Maryland

Planning Division  
Mapping Services

**CEDAR RIDGE**  
CSP 250001

**ADJACENT PROPERTY MAP**

0 200 400 800  
Feet



DATE  
DEC 2025

SCALE

DRAWN BY **106**

Information contained on this drawing is for graphical purposes only and is not meant to be used for engineering purposes.

**Public Meeting: Cedar Ridge, CSP-250001**  
**January 12, 2026 with the Charles County Planning Commission**

**WHAT is this Letter of Notification all about?**

- This letter of notification is being sent from Mausen Homes, LLC. and/or Lorenzi, Dodds & Gunnill Inc. to owners of property within 200’ of the boundary of Cedar Ridge so they are aware of an application for a Conceptual Subdivision Plan.
- Cedar Ridge is zoned as Rural Residential (RR) and is proposing a residential development of approximately 33 single-family homes.

**WHY is this on the Agenda for the Planning Commission?**

- The Charles County Subdivision Regulations require Conceptual Subdivision Plans be presented for public input at a Public Meeting conducted by the Planning Commission.
- The Planning Commission does not vote upon or issue an approval for Conceptual Subdivision Plans. The purpose of the meeting is to gather public input to which the Applicant will be required to respond when applying for a formal Preliminary Subdivision Plan.

**WHO does this application affect?**

- This affects residents of surrounding neighborhoods.

**WHEN is this Conceptual Subdivision Plan being discussed, and when would it possibly take effect?**

- This Conceptual Subdivision Plan will have a hybrid (in-person and virtual) Public Meeting on Monday, January 12, 2026 at 6:00 p.m.
- Conceptual Subdivision Plans do not require approval; however, the Applicant will be required to respond in writing to the public comments received when applying for the future Preliminary Subdivision Plan (PSP). The Applicant will have one (1) year from the date of the meeting on the Conceptual Subdivision Plan to submit their PSP. The PSP will require approval by the Planning Commission.

**WHERE can I go to learn more?**

- You can view the Conceptual Subdivision Plan and other documents beginning December 17, 2025 at: <https://bit.ly/CedarRidgeCSP> or scan here:



- You can attend the Public Meeting about this Conceptual Subdivision Plan on **January 12, 2026**:
  - **Attend in person:** the Charles County Government Building (200 Baltimore Street, La Plata, MD 20646)
  - **View the meeting virtually:** There are a variety of viewing/streaming options including livestream available at [www.CharlesCountyMD.gov/CCGTV](http://www.CharlesCountyMD.gov/CCGTV).
  - **View the recording at a later time:** Public Meetings are recorded and posted online at: [www.CharlesCountyMD.gov/VOD](http://www.CharlesCountyMD.gov/VOD).

**HOW can I share my opinion and hear from other residents, speakers, and the Planning Commission?**

Individuals or representatives of groups wishing to make oral or written comments are encouraged to attend the meeting and can submit comments in the following ways:

- **Comment In-person:** Speaker sign-up will begin 30 minutes prior to the meeting at the Charles County Government Building (200 Baltimore Street, La Plata) on January 12, 2026, and will end at the commencement of the meeting. Each speaker will be allotted three minutes to speak.
- **Comment Virtually:** Virtual speaker sign-up begins Wednesday, December 17, 2025 and will close Friday, January 9, 2026 at 4:30 p.m. If you are not available to speak when you are called, we have the right to move on to the next caller. Each speaker will be allotted three minutes to speak.



Register to speak at <https://www.charlescountymd.gov/government/boards-commissions/planning-commission/planning-commission-public-comment-and-speaker-registration-form>.

- **Provide Written or Voicemail Comments:** Written or voicemail comments may be submitted in lieu of oral testimony, or to expand upon oral testimony, and will be accepted Wednesday, December 17, 2025 through Friday, January 9, 2026 at 4:30 p.m.:
  1. **Electronic comments** can be submitted online at:  
<https://www.charlescountymd.gov/government/boards-commissions/planning-commission/planning-commission-public-comment-and-speaker-registration-form>  
Please Note: Information submitted is considered public information under the Maryland Public Information Act.
  2. **Leave a voicemail** (recorded message) by calling 301-645-0652
- **Postal Mail/Hand Delivery:** Comments sent by mail or delivery must be received no later than January 9, 2026 to:

Department of Planning and Growth Management  
c/o Clerk to the Planning Commission  
200 Baltimore Street  
La Plata, Maryland 20646

Full-size Plan Available at <https://bit.ly/CedarRidgeCSP>



Individuals with special needs may the Maryland Relay Service TDD 7-1-1 (1-800-735-2258).  
Additional questions or concerns may be directed to Hunter Zinn, Department of Planning & Growth Management  
301-645-0645 or [ZinnH@CharlesCountyMD.gov](mailto:ZinnH@CharlesCountyMD.gov)

This letter is produced with permission from Charles County Government.

# Item Cover Page

## PLANNING COMMISSION AGENDA ITEM REPORT

**DATE:** January 12, 2026

**SUBMITTED BY:** Amy Brackett

**ITEM TYPE:** Administrative

**AGENDA SECTION:** NEW BUSINESS: No Public Comments

**SUBJECT:** **Poll of the Planning Commission members for new business.**

**SUGGESTED ACTION:**

**ATTACHMENTS:**

# Item Cover Page

## PLANNING COMMISSION AGENDA ITEM REPORT

**DATE:** January 12, 2026

**SUBMITTED BY:** Amy Brackett

**ITEM TYPE:** Briefing

**AGENDA SECTION:** NEW BUSINESS: No Public Comments

**SUBJECT:** **Briefing: Review of the Fiscal Year 2027-31 Requested Capital Improvement Program**

**SUGGESTED ACTION:**

**ATTACHMENTS:**