

ARTICLE IV - PROCEDURES AND REQUIREMENTS

SECTION 400 SKETCH PLAT PURPOSE

(a) The purpose of the sketch plat is to provide the applicant with an opportunity to resolve problems early in the proceedings and to make necessary modifications and revisions prior to incurring the expense of preparing a Development and final plat. The Sketch plat also allows an opportunity for other parties to comment on the subdivision. A sketch plan shall show those areas, which are best suited for development on the site. This includes delineation of areas not suitable for development such as floodways delineated on the FEMA Floodway maps; areas of high value forest cover; areas of non-tidal wetlands; areas located within the Chesapeake Bay Critical area buffer and any other areas not developable due to natural site conditions.

(b) The determination of street classification according to Section 702 shall be determined during the sketch plan review.

SECTION 401 SKETCH PLAT PROCEDURES

(a) Applicant prepares sketch plan and application and submits ten (10) copies of the sketch plan, the application and plat review fee (See Section 1002) to the Town Planner;

(b) The Town Planner shall check the submission and;

(1) if the submission is incomplete, return the submission to the applicant and/or indicate to the applicant the deficiencies therein.

(2) if the submission is complete, accept the sketch plan and application;

(3) and deposit fees with the Town Clerk.

(c) The Town Planner shall distribute copies of the sketch plan and application to:

(1) Town Engineer - one (1) copy

(2) Planning and Zoning Commission – five (5) copies

(3) Easton Utilities Commission - one (1) copy

(4) Planning office file (3) copies

(d) The Town Planner shall publish notice at least seven (7) days in advance for a public hearing to be held at the next scheduled Planning Commission's meeting and post notice of such hearing on the property. Notification of adjacent and nearby property owners shall be provided in accordance with the requirements of the Town of Easton Zoning Ordinance.

(e) The Town Planner shall, within a reasonable time:

- (1) review the applicant's submission;
- (2) review reports by the Town Engineer, and Easton Utilities.
- (3) prepare staff report and forward said report to the Planning Commission for their consideration,

(f) The Planning and Zoning Commission shall;

- (1) hold a public hearing to receive public comment on proposed subdivision.
- (2) evaluate the applicant's submission, presentation, discussion with the applicant, and agency reports;
- (3) determine whether the sketch plan meets the objectives and requirements of these Regulations and other regulations, ordinances and plans of the Town;
- (4) inform the applicant of their decision, including required changes in the sketch plan.

(g) The Planning and Zoning Commission shall not approve a sketch subdivision plan unless they determine that the proposed subdivision satisfies each of the following requirements. Failure to satisfy any single requirement shall be just cause to deny a subdivision application, even if all others are satisfied. For each subdivision, the Planning Commission shall make findings that:

- (1) The proposed subdivision provides against such scattered or premature subdivision of land as would involve danger or injury to health, safety, or prosperity by reason of the lack of water supply, drainage, transportation, schools, fire protection, or other public services, or necessitate the excessive expenditure of public funds for the supply of such services;
- (2) The proposed subdivision provides for harmonious development of the municipality and its environs;
- (3) The proposed subdivision requires the proper arrangement and coordination of streets within subdivisions in relation to other existing or planned streets;
- (4) The proposed subdivision provides for open spaces of adequate proportions (or satisfies this requirement by other acceptable means);
- (5) The proposed subdivision provides suitably located streets of sufficient width to accommodate existing and prospective traffic and afford adequate light, air, and access for fire fighting apparatus and equipment to buildings, and is coordinated so as to compose a convenient system;
- (6) The proposed subdivision provides parks of reasonable size for neighborhood playgrounds or other recreational uses on land suitable for such uses (or satisfies this requirement by other acceptable means) in accordance with the standards of Section 708 of these Regulations;

(7) The land indicated on the plats submitted to the Planning Commission is of such character that it can be used for building purposes without danger to public health, safety, or general welfare;

(8) The proposed subdivision prescribes minimum areas of lots in conformance with the Town's Zoning Ordinance and such additional areas as may be needed for each lot for on-site sanitary facilities (if needed);

(10) The proposed subdivision promotes the orderly growth of the Town of Easton, providing for public and other open space and for proper development of land while preventing, through the Commission's discretion, such scattered, premature and undesirable subdivision and development of land as would involve danger, or injury to health, safety or property, by reason of lack of water supply, sewage, drainage, transportation, or other public services or would necessitate in the Commission's judgment an excessive expenditure of public funds for the supply of such services, or would be injurious to maintenance of the integrity of the adopted Town Comprehensive Plan;

(11) The proposed subdivision satisfies all technical requirements of these Regulations; and

(12) The proposed subdivision meets all design requirements of the Town of Easton, including those described in the Town's Comprehensive Plan, Zoning Ordinance, and any Design Guidelines as may be adopted by the Town Council.

The Planning Commission may approve a sketch subdivision plat subject to conditions intended to insure compliance with these requirements.

SECTION 402 SKETCH PLAN REQUIREMENTS

Data furnished in the sketch plan shall include the following information:

- (a) name of the subdivision;
- (b) name and address of the owner;
- (c) tract boundaries;
- (d) north point and date;
- (e) streets on and adjacent to the tract;
- (f) significant topographical and physical features;
- (g) proposed general street layout indicating street classification according to street hierarchy;
- (h) proposed general lot layout;
- (i) delineation of Chesapeake Bay Critical Area, nontidal wetlands and FEMA Floodplain;
- (j) Forest Stand Delineation as per Town of Easton Forest Conservation Ordinance;
- (k) where the subdivision plat covers only a portion of the owner's holdings, the sketch shall be submitted of the prospective street layout for the remainder of the tract;

- (l) physical features within 500' of the subdivision boundary and any other features which may affect the layout and design of the subdivision;
- (m) proposed phase lines, if applicable.
- (n) "sketch or "concept" landscape plan as per the Zoning Regulations. Sketch Landscape Plan must be on a separate sheet.

SECTION 403 PRELIMINARY SUBDIVISION PLAT PURPOSE

- (a) The purpose of the Preliminary Plat is to facilitate review and obtain conditional approval of the proposed subdivision in a detail such that the improvements can be designed and constructed.
- (b) A Preliminary Plat and all information and procedures relating to shall in all respects be in compliance with the provisions of these Regulations.
- (c) The approval of the Preliminary Plat shall constitute conditional approval of the subdivision but shall not constitute approval of the final plat.

SECTION 404 PRELIMINARY PLAT PROCEDURES

- (a) After receiving approval of the sketch plan the applicant prepares Preliminary Plat and application; and submits five (5) blue or black line copies of the Preliminary Plat, an application and appropriate fees (See Section 1002) to the Town Planner;
- (b) The Town Planner shall check the submission; and (1) if the submission is incomplete, return the submission to the applicant and/or indicate to applicant the deficiencies therein. (2) if the submission is complete, accept the Preliminary Plat, applicant form and fees.
- (c) The Town Planner shall distribute copies of the Preliminary Plat and application to:
 - (1) Town Engineer - one (1) copy
 - (2) Easton Utilities Commission - one (1) copy
 - (3) Any other utility company serving the subdivision - one (1) copy each
 - (4) Maryland Department of Transportation
- (d) The Town Planner shall, within a reasonable time:
 - (1) review the applicant's submission;
 - (2) review reports by the Town Engineer and Easton Utilities Commission Staff;
 - (3) determine whether the Preliminary Plat is in accordance with the approved sketch plat, meets objectives and requirements of these Regulations and other regulations, ordinances, and plans of the Town;
 - (4) inform the applicant in writing of required changes if necessary in the Preliminary Plat.

(e) As applicable, the submission will also be examined by the staff for conformity with the Town of Easton Critical Area Local Program, the requirements of the Zoning Ordinance and Subdivision Regulations of the Town and the recommendations of any authorized Federal, State and County agencies.

(f) After the applicant has received approval of the Preliminary Plat, one (1) paper and two reproducible copies shall be submitted to the Town Planner. The Town Planner shall review the plat to see that they are as approved and sign both reproducible copies. One copy shall be returned to the applicant. Submittal of improvement plans shall include a copy of the approved Preliminary Plat.

SECTION 405 PRELIMINARY PLAT REQUIREMENTS

The Preliminary Plat shall meet the following standards and show or be accompanied by the following information:

(a) Drafting Standards

- (1) The plat shall be scaled to fit sheets no larger than twenty-four (24) by thirty-six (36) inches unless otherwise permitted.
- (2) Dimensions shall be in feet and decimals to the nearest hundredth of a foot and the bearings in degrees, minutes, and seconds.
- (3) Each sheet shall be numbered and shall show its relationship to the total number of sheets.
- (4) Where any revision is made, or when the plat is a revision of a previously approved plat, dotted lines shall be used to show features or locations to be abandoned and solid lines to show the presently proposed features.
- (5) The boundary line of the subdivision shall be shown as a solid heavy line.

(b) General Information

- (1) Name of the subdivision.
- (2) Name and address of the owner(s).
- (3) Name, address, and seal of the surveyor responsible for the plat.
- (4) Present zoning classification.
- (5) Date, meridian, scale, and direction of all lines by bearings and distances.
- (6) A location map for the purpose of locating the site to be subdivided showing the relation of the tract to adjoining property and streets.

(c) Existing Features

- (1) Complete Boundary survey of the property to be subdivided, showing all bearings, distances, area, and tie-ins to all adjacent street lines and adjacent Town Boundary lines.
- (2) The location, names, and widths of streets, the location of property lines and names of adjacent owners, the location of water courses and other natural features within two hundred (200) feet of any part of the land to be subdivided.
- (3) Location of all existing markers and monuments.

(4) Location, size, purpose, and ownership of all underground utilities and rights-of-way and/or easements within the property.

(5) Topography with contours on one (1) foot intervals, the location of existing buildings, the outline of all wooded areas, marshy areas, and areas subject to flooding.

(6) Forest Conservation Plan with worksheets shall be submitted on a separate sheet drawn to the same scale as the subdivision plat.

(7) Landscaping Plan in accordance with the provisions of LANDSCAPING AND BUFFERING Section of the Zoning Ordinance. Landscaping plans must be on a separate sheet.

(d) Proposed Layout

(1) Lot layout, including bearings, distances, and area and numbering of lots under such system as the Commission may designate.

(2) The names, classification (as per Section 702 STREET HIERARCHY), and widths of all proposed streets and alleys.

(3) Sufficient data to readily determine the location, bearing and length of every street, lot, and boundary line. Data shall include total distances of all such street lines, tangent lengths and central angles for each total street curve and central angles for each lot corner around a cul-de-sac.

(4) The building setback lines.

(5) Accurate location of all monuments, markers and reference points.

(6) The location, width, and purpose of all easements or rights-of-way and the boundaries by bearings and distances.

(7) Land offered for dedication for parks, schools, and widening of streets, or other community uses.

(8) When the subdivision is to be developed in two or more phases, the lines delineating such phases shall be shown.

(e) The words "PRELIMINARY PLAT - NOT TO BE RECORDED," shall be shown on the plat.

(f) For proposed subdivision located in the Critical Area Overlay District, the following additional information will be shown on the Preliminary Plat as applicable:

(1) Critical Area and Buffer boundaries.

(2) Location and area of all soils exhibiting the following characteristics as determined by the Soil Survey:

a. Septic Limitations, if applicable.

b. Wet soils.

c. Hydric Soils and soils with hydric properties, and

e. Highly erodible soils (soils on slope greater than 15 percent or soils on slope greater than 5 percent with "K" values greater than 0.35)

(3) Location of all forested area located on the site;

(4) location of tidal and non-tidal wetlands on the site;

(5) Known locations of the habitat of any threatened or endangered species or species in need of conservation on or adjacent to the site, or within 1/4 mile of the site in the case of bald eagle habitats;

(6) Locations of plant and wildlife habitat as described in the Towns Critical Area Program;

(7) Location of anadromous fish spawning streams(s) on or adjacent to the site and a delineation of the watershed area of the stream on the site;

(8) In conjunction with submission of the Preliminary Plat, the applicant shall submit an Environmental Assessment prepared by a qualified person. The Environmental Assessment shall provide a coherent statement of the manner in which the proposed development addresses the goals and objectives of the Town of Easton's Chesapeake Bay Critical Area Local Program. At a minimum, the Environmental Assessment shall include:

a. a statement of existing conditions found upon the property to be subdivided, including the amount and types of forest cover, the amount and type of wetlands, soil types, topography and, where applicable, a description of existing agricultural activities upon the parcel;

b. a description of the proposed development, including number and type of residential units, amount of impervious surfaces, proposed sewer treatment and water supply, acreage devoted to development, proposed open space and habitat protection areas;

c. a description of all of the proposed development impacts upon water quality, Habitat Protection Areas, and when applicable, wetlands; and

d. adequate documentation of all correspondence and findings.

The Town Planner shall not approve a Preliminary subdivision application until such time as it finds that the application complies with the requirements of the Town of Easton's Chesapeake Bay Critical Area Program and the provisions of the Easton Zoning Ordinance specifically relating to the Critical Area Overlay Zone.

SECTION 406 IMPROVEMENT PLANS

(a) If required, upon approval of a Preliminary Plat the applicant shall submit two (2) paper sets of the Improvement plans to the Town Planner. The improvement plans shall include a copy of the approved Preliminary Plat and shall address all those improvements required in SECTION 601 herein.

(b) The Town Planner shall review the submittal and if complete he shall forward the plans to the Town Engineer for his review.

(c) The Town Engineer shall review the Improvement plans and submit written comments to the Town Planner who will forward the comments on to the applicant.

(d) Once the Improvement Plans have been approved by the Town Engineer, the applicant shall submit two (2) reproducible sets of the approved improvement plans to the Town Planner. The Town Planner will have the Town Engineer sign both sets and one set shall be returned to the Applicant.

(e) Upon approval of the improvement plans the Final plat can be submitted.

(f) Approval of Improvement plans expires after three (3) years from the date signed by the Town Engineer unless work has begun and diligently pursued; or the Town Engineer elects to extend the approval.

SECTION 407 FINAL PLAT PURPOSE

(a) The purpose of the final plat is to establish a public record of the property as it will become a part of the land records of Talbot County after final approval by the Planning and Zoning Commission.

(b) A final plat shall be submitted conforming to the changes recommended during the Preliminary Plat procedure. The final plat and all information and procedures relating thereto shall in all respects be in compliance with the provisions of these Regulations. Development and final plat procedures may be executed simultaneously.

SECTION 408 FINAL PLAT PROCEDURES

(a) Applicant shall submit to the Town Planner (not more than three years after receiving approval of the Preliminary Plat):

- (1) subdivision application;
- (2) four (4) blue or black line copies;
- (3) appropriate fee (See Section 1002).

(b) The Town Planner shall check the submission and:

- (1) if the submission is incomplete, return the submission to the applicant and/or indicate to the applicant the deficiencies therein;
- (2) if the submission is complete, accept the final plat, application form and additional fees, if any.

(c) The Town Planner shall distribute copies of the final plat and application to the following agencies for review & comments:

- (1) Town Engineer - one (1) copy
- (2) Easton Utilities Commission (Survey Division) – one (1) copy

(d) Upon receipt of comments the Town Planner shall within a reasonable time:

- (1) Evaluate plat to determine whether plat is in conformance with approved Preliminary Plat,
 - (2) Determine whether the final plat meets the objectives and requirements of these Regulations and other regulations, ordinances and plans of the Town,
 - (3) Once it is determined that the plat is ready for recordation the Town Planner shall request the applicant to submit four (4) reproducible film copies and five (5) blue or black line paper copies with original signatures.
 - (4) Upon the receipt of the signed plats the Town Planner shall obtain the signature of the Town Engineer and take them to the Planning and Zoning Commission at their next meeting.
- (e) If approved, the Planning and Zoning Commission shall adopt a resolution approving the final plat and authorize the Chairman to sign the plat.

SECTION 409 FINAL PLAT REQUIREMENTS

The final plat shall meet the following standards and show the following information:

(a) Drafting Standards

- (1) The size of the sheet and scale shall be in accordance with the requirements of the Clerk of the Circuit Court of Talbot County.
- (2) The plat shall be drawn using black ink on transparent mylar (or linen) or black-line photo process comparable to original quality that will conform to archival standards.
- (3) A space or recording block shall be provided of not less than three (3) inches by four (4) inches located three inches from the top right corner of all pages of a final plat to accommodate the County Clerk's recording information and seal.
- (4) Dimensions shall be in feet and decimals to the nearest hundredth of a foot, and the bearings in degrees, minutes and seconds.
- (5) Each sheet shall be numbered and shall show its relationship to the total number of sheets.
- (6) Where any revision is made, or when the plat is a revision of a previously approved plat, dotted lines shall be used to show features or locations to be abandoned and solid lines to show the presently proposed features.
- (7) The boundary line of the subdivision shall be shown as a solid heavy line.

(b) General Information

- (1) Name of subdivision.
- (2) Name and address of the owner(s).
- (3) Name and address of the surveyor responsible for the plat.
- (4) Present zoning classification.
- (5) Date, meridian, scale, and direction of all lines by bearing and distances.
- (6) A location map for the purpose of locating the site to be subdivided showing the relation of the tract to adjoining property and to streets.

(c) Existing features

- (1) Complete boundary survey of the property to be subdivided, showing all bearings, distances, area, and tie-ins to and all adjacent street lines and adjacent Town Boundary lines.
- (2) The location, names, and widths of streets, the location of property lines and names of adjacent owners, the location of water courses, and other natural features where they constitute property boundaries.
- (3) Location of all existing markers and monuments.
- (4) Location, size, purpose and ownership of any rights-of-way and/or easements within the property.

(d) Proposed Layout

- (1) A complete survey of the subdivision including street and lot layout, showing bearings, distances, area, and numbering of lots under such system as the Commission may designate.
- (2) The names and widths of all proposed streets and alleys.
- (3) Sufficient data to readily determine the location, bearing and length of every street, lot, and boundary line. Data shall include total distances of all such street lines, tangent lengths and central angles for each total street curve and central angles for each lot corner around a cul-de-sac.
- (4) The building setback lines.

(5) Accurate location of all monuments, markers and reference points.

(6) The location, width, and purpose of all easements or rights-of-way and the boundaries by bearings and distances.

(7) Land offered for dedication for parks, schools, widening of streets, or other community uses.

(e) Acknowledgements and Formal Notations

(1) The following notations shall appear on all Final Plats and be certified by the subdivision owner(s):

ALL STREETS AND STREET WIDENINGS, PARKS AND OTHER LANDS INTENDED FOR PUBLIC USE ARE RESERVED BY THE OWNER FOR FUTURE CONVEYANCE TO THE TOWN OF EASTON.

ALL EASEMENTS SHOWN ARE HEREBY DEDICATED FOR PUBLIC USE.

A UTILITIES DISTRIBUTION RIGHT-OF-WAY AND EASEMENT IS HEREBY DEDICATED TO THE TOWN OF EASTON IN AND OVER STRIPS OF LAND TEN (10) FEET IN WIDTH ALONG THOSE BOUNDARY LINES CONTIGUOUS TO ANY STREET OR ALLEY AND FIVE (5) FEET IN WIDTH ON EACH SIDE OF SIDE LOT LINES.

THE PLANNING AND ZONING COMMISSION MAY WAIVE OR TERMINATE, UPON RESUBDIVISION, SUCH UTILITY EASEMENT WHICH HAS NOT BEEN ACCEPTED BY USE THEREOF. UPON RECEIVING APPROVAL FROM THE TOWN ENGINEER.

PLANS FOR COMMUNITY WATER SUPPLY AND COMMUNITY SEWERAGE SYSTEMS OF THIS SUBDIVISION HAVE BEEN APPROVED BY MARYLAND DEPARTMENT OF ENVIRONMENT AND WILL AVAILABLE TO ALL LOTS OFFERED FOR SALE.

WE, THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, HEREBY ADOPT THIS PLAN OF SUBDIVISION.

(2) The following notation shall appear on all final plats and be certified by the County Health Officer:

THIS SUBDIVISION IS APPROVED FOR COMMUNITY WATER SUPPLY AND COMMUNITY SEWAGE AND THEIR USE IS IN ACCORDANCE WITH TALBOT COUNTY COMPREHENSIVE WATER AND SEWERAGE PLAN AND MDE REGULATION 26.04.03.

(3) Other notations shall appear on all final plats:

BUILDING PERMITS SHALL BE ISSUED ONLY IF SUFFICIENT CAPACITY IS AVAILABLE IN THE COMMUNITY WATER SUPPLY SYSTEM, SEWERAGE SYSTEM, AND SOLID WASTE ACCEPTANCE FACILITY SERVING THE SUBDIVISION.

LAND SHOWN UPON THIS PLAT MAY CONTAIN NON-TIDAL WETLANDS REGULATED UNDER COMAR 08.0504; THE FEDERAL WATER POLLUTION ACT SECTION 404; OR THE RIVERS HARBOR ACT SECTION 10. DEVELOPMENT AND CONSTRUCTION WITHIN WETLANDS ARE SUBJECT TO FEDERAL AND STATE REGULATIONS AND MAY BE PROHIBITED OR RESTRICTED BY SUCH REGULATIONS.

(f) Signatures

The following signatures shall be placed directly on the plat in black ink:

- (1) The owner or owners of the land. If the owner of the land is a corporation, the signatures of the duly authorized officers of the corporation shall appear.
- (2) Acknowledgement of owner's signature.
- (3) The licensed surveyor who prepared the plat.
- (4) Talbot County Health Officer.
- (5) Chairman of Planning and Zoning Commission.
- (6) The Town Engineer

(g) Seals

- (1) The seal of the licensed surveyor responsible for the plat.
- (2) The corporation seal, if the applicant is a corporation.
- (3) Notary signature and seal.

(h) Additional requirements for final plats for subdivisions located in the Critical Area Overlay Zone.

In addition to the requirements set forth in this section, the following additional information must be provided upon any final plat involving land located within the Critical Area Overlay Zone of the Town:

- (1) Location of Critical Area Overlay Zone and Buffer boundaries;
- (2) Location of any non-tidal wetlands and location of buffer areas around each wetland;
- (3) Location of any other Habitat Protection Area; and
- (4) Designation of any area designed to remain in open space or under forest cover.

(i) Notes regarding Requirements for Forest Conservation, if required, must be included.

SECTION 410 FINAL PLAT - RECORDING PROCEDURES

(a) At such time as the Planning Commission has approved the final plat and the required improvements have been constructed or guaranteed in accordance with Articles V, VI, and VII of these Regulations and any outstanding fees and/or capital charges have been paid, the Town Planner shall record the plat, and distribute copies as follows:

- (1) The Clerk of the Circuit Court - two (2) reproducible film copies for the purpose of recording among the Land Records of Talbot County.
- (2) The applicant - one (1) reproducible film copy for the applicant's future use.
- (3) Town Office - two (2) copies.
- (4) Maryland Department of Assessment and Taxation - one (1) copy.
- (5) Easton Utilities Commission - one (1) reproducible film copy.

(b) Failure on the part of the owner or subdivider to construct or guarantee the construction of the required improvements within three (3) years from the date of approval of the final plat may, at the discretion of the Commission, cancel and make void its previous approval.

SECTION 411 EFFECT OF RECORDING FINAL PLAT

(a) Easements, and other public improvements shown on the final plat to be recorded shall be offered for dedication to the Town by formal notation thereof on the plat, or the owner must note on the plat those improvements which have not been offered for dedication to the Town.

(b) Recording of the final plat shall not be deemed to constitute or effect an acceptance by the Town of the dedication.

SECTION 412 MINOR SUBDIVISIONS

Minor subdivisions, lot line revisions or boundary adjustments shall be submitted in final plat form as per the requirements of Section 408 hereof. Lot line revisions and/or boundary adjustments need only show the lots affected by the change and shall refer to the subdivision being amended. A copy of a new deed must be recorded so that no remnant is created.

Applications shall be submitted to the Town Planner who will route the plat to the appropriate agencies for review and comments. Upon the finding of the staff that the plat is in compliance with these regulations and the payment of the appropriate fees the Town Planner shall present the plat to the Chairman of the Planning & Zoning Commission who shall be authorized to sign the plat. Should the Chairman AND Town Engineer feel it necessary for review of the entire Commission he may have it placed on the agenda of their next meeting.

SECTION 413 COMBINATION OF LOTS IN COMMON OWNERSHIP

Construction across lot lines of two (2) or more lots in common ownership shall be permitted pending the approval of the Town Planner and Town Engineer. If approved, said lots shall be considered one parcel until such time as the structures are removed/demolished.