



**Kent County Board of Zoning Appeals**  
Department of Planning, Housing, and Zoning  
400 High Street, Suite 130  
Chestertown, MD 21620  
410-778-7423 (voice/relay)

**County Commissioners Hearing Room**  
**400 High Street**  
**Chestertown, Maryland**

**AGENDA**

Monday, June 21, 2021  
7:00 p.m.

Members of the public are now welcome to attend meetings in person, virtually, or via conference call. You may also listen to the meeting either online at <https://www.kentcounty.com/commissioners/meeting-live-video> OR via the audio-only phone number and conference identification number listed below. If listening to the meeting online, the way for members of the public to provide verbal comments during the meeting is via the audio-only phone number.

Public participation and audio-only call-in number:

1. Dial **1-872-239-8359**
2. Enter Conference ID: **660 067 504#**

Members of the public are asked to mute their phones/devices, until the Board Chair opens the floor for comment. Please note that if you are listening to the online livestream while waiting to call in to participate, there is an approximately 45-second delay. In order to avoid audio feedback issues, please mute the livestream before calling in.

**MINUTES**

May 17, 2021

**APPLICATIONS FOR REVIEW:**

**#21-22 David A. Bramble, Inc. – Special Exception – Renewal of Existing Sand & Gravel Pit**  
8415 Rock Hall Road – Sixth Election District – Zoned Agriculture Zoning District (AZD)

**APPLICANT OR REPRESENTATIVE MUST BE PRESENT**

**APPLICANTS ARRIVING MORE THAN 10 MINUTES AFTER THE SCHEDULED HEARING WILL NOT BE HEARD  
AND WILL BE RESCHEDULED AT THE APPLICANT'S EXPENSE.**

Meetings are conducted in Open Session unless otherwise indicated. All or part of the Board of Appeals meetings can be held in closed session under the authority of the MD Open Meetings Law by vote of the members. Breaks are at the call of the Chairman. Meetings are subject to audio and video recordings.

Projects will not be reviewed prior to their scheduled time. All applications will be given the time necessary to assure full public participation and a fair and complete review of all projects. Agenda items are subject to change due to cancellations.

Other business without assigned times may be discussed during the meeting.



June 15, 2021

Dr. Al Townshend, Chairman  
Kent County Board of Appeals  
400 High Street  
Chestertown, MD 21620

RE: David A. Bramble, Inc. (Margaret K. Bramble, LLC)  
Sand & Gravel Pit Special Exception Renewal

Dear Dr. Townshend:

At its June 3, 2021, meeting, the Kent County Planning Commission reviewed the application of David A. Bramble, Inc., for a renewal of the special exception to continue operation of an existing sand and gravel pit on a 164.675-acre farm owned by Margaret K. Bramble, LLC, located at 8415 Rock Hall Road (MD Route 20) near Fairlee. This operation has been known as the Orem Pit. The excavation site comprises 19.66 acres located interior to the property, which is also otherwise farmed, and only 25 percent of the allowed area of the operation is used at one time.

The application also includes shifting 1.37 acres from the northeast side of the pit to the southwest side. The pit boundary will extend out approximately 50-feet along the southwest side. The pit boundary will still be over 350 feet from the property line. The shifting of the pit boundaries is to offset 1.37 acres of the pit that was inadvertently included in an adjustment of lot lines with Parcel 157, which is now owned by an unrelated party.

After reviewing the testimony, including information that as part of the reclamation plan dredged material from the maintenance dredging of the Rock Hall Harbor Channel may be used in the future, the Planning Commission concluded that the operation of the gravel pit is consistent with the Comprehensive Plan and the Land Use Ordinance. The Planning Commission voted to recommend approval of the application with the following conditions:

- The operation shall not be enlarged beyond 19.66 acres;
- The special exception shall be granted for a period of five (5) years;
- The operation must have an approved operating and restoration plan from the Surface Mining Division of the Maryland Department of the Environment's Water Resources Administration (the "SMD") in place at all times; and
- The Applicant's mining permit, sediment and erosion control plan, and operating and restoration plan must be strictly followed at all times.

The Planning Commission based its recommendation on the following:

- The size of the property is more than adequate to support the use;
- The relocation of the 1.37 acres to the southwestern side of the pit will not inadvertently affect the neighboring properties.
- Traffic patterns remain similar since the original application in 1984.

- The property is surrounded by farmland and woodland.
- It is not close to houses of worship or historic places, and there is no evidence of negative impact on community facilities and services.
- The applicant has taken appropriate measures to control potential negative effects from noise, vibration, smoke and particulate matter, toxic matter, odor, fire or explosion hazards, or glare upon surrounding properties.
- There are no known threatened or endangered species located on the property.
- Forested areas or woodlands on the farm will not be disturbed by this operation.
- The proposal is consistent with the Comprehensive Plan, the general intent and the use, design, and environmental standards found in the *Land Use Ordinance*.

Sincerely,  
Kent County Planning Commission

A handwritten signature in black ink that reads "Kim Kohl". The signature is written in a cursive, slightly slanted style.

Kim Kohl  
Chairman

KK/cmj

cc: David A. Bramble, Inc.

## PRELIMINARY STAFF REPORT

TO: Kent County Board of Appeals  
SUBJECT: David A. Bramble, Inc. (Margaret K. Bramble, LLC)  
Sand & Gravel Pit Special Exception Renewal  
DATE: May 27, 2021

### DESCRIPTION OF PROPOSAL

David A. Bramble, Inc., requests renewal of the special exception to continue operation of an existing sand and gravel pit on a 164.675-acre property owned by Margaret K. Bramble, LLC, located 8415 Rock Hall Road (MD Route 20) near Fairlee. The excavation site comprises 19.66 acres located interior to the property, which is also otherwise farmed, and only 25 percent of the allowed area of the operation is used at one time. Access to the sand and gravel pit is by an unimproved lane from MD Route 20 that also serves a residential lot and agricultural structures on the farm. The applicant's narrative advised that there are no employees permanently located at this site. The materials excavated from this sand and gravel pit support the operation of David A. Bramble, Inc.

The parcel is zoned "AZD", Agricultural Zoning District, and is generally surrounded by farmland and woodland. In 2018, the Orem family completed two adjustments of lot lines for two residential lots located interior to the property (Parcel 8, Lot 2 and Parcel 157). In 2019, Margaret K. Bramble, LLC, purchased Parcel 8, Lot 2 on which is located the house closest to the gravel pit. Parcel 157 is owned by an unrelated party. One of the adjustments of lot lines inadvertently encroached on the gravel pit by 1.37 acres. As part of this renewal application, the applicant is seeking to shift that 1.37 acres to the west side of the pit limits.

### HISTORY

The initial conditional use/special exception approval for the operation of this sand and gravel pit was granted 1984. Since that time, updated approvals have been regularly granted and the last renewal was approved in 2016. The conditions of approval were:

- The operation shall not be enlarged beyond 19.66 acres.
- The special exception shall be granted for a period of five (5) years.
- The operation must have an approved operating and restoration plan from the Surface Mining Division of the Maryland Department of the Environment's Water Resources Administration (the "SMD") in place at all times.
- The applicant's mining permit, sediment and erosion control plan, and operating and restoration plan must be strictly followed at all times.
- Final signature approval of the site plan.

### RELEVANT ISSUES

#### I. SPECIAL EXCEPTION GENERAL REVIEW CRITERIA

- A. *Comprehensive Plan*: "Conserve the County's mineral resources for future use while safeguarding the environment and surrounding communities." page 83
- B. *Applicable Law*: Article VII, Section 2 of the *Kent County Land Use Ordinance* sets forth the standards applicable to all special exceptions as follows:

The Board, or where applicable the Planning Director, shall make findings on the following where appropriate:

1. The nature of the proposed site, including its size and shape and the proposed size, shape, and arrangement of structures;
2. Traffic Patterns;
3. Nature of surrounding area;
4. Proximity of dwellings, houses of worship, schools, public structures, and other places of public gathering;
5. The impact of the development or project on community facilities and services;
6. Preservation of cultural and historic landmarks, significant natural features and trees;
7. Probable effect of noise, vibration, smoke and particulate matter, toxic matter, odor, fire or explosion hazards, or glare upon surrounding properties;
8. The purpose and intent of this Ordinance as set forth in Article II;
9. Design, environmental, and other standards of this Ordinance as set forth in Article V;
10. The most appropriate use of land and structure;
11. Conservation of property values;
12. The proposed development's impact on water quality;
13. Impact on fish, wildlife and plant habitat,
14. Consistency with the Comprehensive Plan, Land Use Ordinance, and where applicable the Village Master Plan;
15. Consistency with the Critical Area Program; and
16. Compatibility with existing and planned land use as described in the Comprehensive Plan, Land Use Ordinance, and where applicable the Village Master Plan.

C. *Staff and TAC Comments:* A sand and gravel pit has been in operation at this site for more than 35 years without complaint from surrounding property owners or residents. Although the applicant is seeking to shift the pit boundaries, the applicant is not seeking to expand the area of operation. The remainder of the property is wooded or used for agricultural purposes. Relative to the applicable findings, staff offers the following:

- The size of the property is more than adequate for the existing use. Approximately 50-feet will be added to the western side of the pit to offset 1.37 acres of the pit that was inadvertently included in Parcel 157, which is now owned by an unrelated party. The pit will still be over 350 feet from the western property line.
- Trucks enter and depart the site by an existing unimproved stone lane from MD Route 20. Renewal of the special exception will not result in changes to traffic patterns as the number of trucks will not increase per the applicant's narrative. The State Highway Administration has no issues or concerns with County approval.
- The nature of the area is farmland and woodland.
- The closest places of public gathering are Potter's House Ministries, Inc., and Salem Methodist Church, both in the Village of Fairlee, less than one mile to the north. St. Paul's Church is located less than two miles to the south on Sandy Bottom Road.
- During the course of prior renewals, the record has been devoid of any evidence that the use would have a negative impact on community facilities and services.
- There are no cultural and historic landmarks or significant natural features in the vicinity that would be adversely impacted by the use. Forested areas or woodlands on the farm will not be disturbed by this operation.
- As stated in their narrative, the applicant has appropriate measures in place to control potential negative effects from noise, vibration, smoke and particulate matter, toxic matter, odor, fire or explosion hazards, or glare upon surrounding properties.

- There are no known threatened or endangered species, areas of specific value, or rare assemblages of species or other vital habitat are located within the limits of the pit. Environmentally sensitive areas on the farm, such as the West Fork of Langford Creek, will not be disturbed.
- The operation has been in existence since 1984 and renewed on five year cycles. There is no reason to believe that the surrounding properties will be negatively impacted by the continuation of the operation. Additionally, the 2011 renewal noted that in light of the site's topography and existing forested areas, additional screening was not required.
- With the prior renewals the record has been devoid of any evidence that the use would impact property values, water quality, fish, wildlife, or plant habitat.
- The proposal is consistent with the Comprehensive Plan, the general intent and the use, design, and environmental standards found in the *Land Use Ordinance*.

## II. SAND AND GRAVEL PIT SPECIAL EXCEPTION REVIEW CRITERIA

- A. *Comprehensive Plan*: "Sand and Gravel are the predominant minerals found in Kent County. An unusual seam of high-quality spec and concrete sand and gravel runs southeasterly from Baltimore County to Lewes Delaware. These aggregates are vital to a healthy economy and Kent County recognizes that sand and gravel are resources of increasing commercial value." Page 83
- B. *Applicable Law*: Article VII Section 7.52 of the *Ordinance* grants the Board of Appeals the authority to grant a special exception for gravel pits, excavation or extraction (not including the removal of sod, and excavation for foundations, swimming pools, soil and water conservation practices, and those removals approved in connection with farm use, street construction, subdivision or planned residential development) in AZD, RCD, RC, RR and CAR provided:
- a. The special exception shall be for a period not to exceed five years
  - b. Material is not brought from off-site for processing, mixing, or similar uses
  - c. The excavation or extraction operation shall be controlled to offer reasonable protection to surrounding properties and the neighborhood, particularly as regards to use of residential streets for access to the site
  - d. There are no known threatened or endangered species, areas of specific value, or rare assemblages of species or other vital habitat at the site
  - e. In RCD and CAR, highly erodible soils are not disturbed at the site
  - f. The operation will not disturb for future use prime agricultural lands or forest and developed woodlands of more than one acre
  - g. The operation will not degrade water quality
  - h. The operation does not disturb the minimum 100-foot buffer or stream protection corridor
  - i. The operation is under an approved operating and restoration plan from the State of Maryland
  - j. The operation does not adversely affect a non-tidal wetland directly or hydrologically
  - k. The location of the excavation or extraction with respect to property lines, the depth of excavation, and relation to the water table or flood criteria and the slope of the sides of the excavation shall be controlled to prevent a continuing, unsightly, hazardous, or wasteful condition of the land.
- C. *Staff Comments*: The proposal is consistent with the Mineral Resources element of the Comprehensive Plan. Additionally, the reclamation plan as approved by the Maryland Department of the Environment permits the on-site use of dredged material from maintenance dredging of the Rock Hall Harbor Channel. Further;
- The operation has been in existence since 1984 and the special exception consistently renewed.
  - The applicant's narrative asserts that materials will not be brought from off site for mixing or processing.

- As stated in their narrative, the applicant has appropriate measures in place to control deleterious effects from noise, vibration, smoke and particulate matter, toxic matter, odor, fire or explosion hazards, or glare upon surrounding properties. Trucks enter and depart the site by an existing unimproved stone lane from MD Route 20. Renewal of the special exception will not result in increased traffic as the number of trucks will not increase since the area of the pit is not expanding. The State Highway Administration has advised that the entrance is currently suitable for continued access.
- There are no known threatened or endangered species, areas of specific value, or rare assemblages of species or other vital habitat located within the limits of the pit. Environmentally sensitive areas on the farm, such as the West Fork of Langford Creek, will not be disturbed.
- The property is zoned AZD.
- The project may disturb more than 5 acres of prime soil, but the site will be reclaimed for future use. Forested areas or woodlands on the farm will not be disturbed by this operation.
- With the prior renewals, the record has been devoid of any evidence that the use would impact property values, water quality, fish, wildlife, or plant habitat.
- The upper reaches of the West Fork of Langford Creek and affiliated non-tidal wetlands are located along the southeast edge of the farm but will not be disturbed by the pit. The creek is sufficiently to the rear of the farm property such that this operation does not impact the 100-foot stream protection corridor or affiliated non -tidal wetlands.
- The operation has an approved operating and restoration plan from the State of Maryland.
- The sediment control plan will expire in September. The applicant will have the plans renewed before they expire.

**STAFF RECOMMENDATION:**

Staff recommends forwarding a favorable recommendation with the same conditions of approval from 2016:

- The operation shall not be enlarged beyond 19.66 acres.
- The special exception shall be granted for a period of five (5) years.
- The operation must have an approved operating and restoration plan from the Surface Mining Division of the Maryland Department of the Environment's Water Resources Administration (the "SMD") in place at all times.
- The applicant's mining permit, sediment and erosion control plan, and operating and restoration plan must be strictly followed at all times.

# BOARD OF APPEALS APPLICATION

## *Kent County Department of Planning, Housing and Zoning*

Kent County Government Center  
400 High Street • Chestertown, MD 21620  
410-778-7475 (phone) • 410-810-2932 (fax)

**IN THE MATTER OF THE APPLICATION OF:  
(Name, Address and Telephone Number of Applicant)**

\_\_\_\_\_  
David A. Bramble, Inc.  
\_\_\_\_\_  
PO Box 419 705 Morgnec Road  
\_\_\_\_\_  
Chestertown, Maryland 21620

Email: [megan@davidabrambleinc.com](mailto:megan@davidabrambleinc.com)

**TO THE KENT COUNTY BOARD OF APPEALS:** In accordance with Article 10 Section 2.2  
of the Kent County Zoning Ordinance, as amended, request is hereby made for:

\_\_\_\_\_ Appealing Decision of Kent County Zoning Administrator \_\_\_\_\_ Variance  
 Special Exception \_\_\_\_\_ Non-conforming Use

**DESCRIPTION OF PROPERTY INVOLVED:**

Located on: (Name of Road, etc.) 8415 Rock Hall Road, Chestertown, Maryland

In the 6th Election District of Kent County.

**Size of lot or parcel of Land:** 164.67

Map: 0042 Parcel: 0008 Lot #: 1 Deed Ref: MM 992/001

List buildings already on property: Residence; sheds

If subdivision, indicate lot and block number: N/A

If there is a homeowners association, give name and address of association: N/A

**PRESENT ZONING OF PROPERTY:** AZD

**DESCRIPTION OF RELIEF REQUESTED:** (List here in detail what you wish to do with property that requires  
the Appeal Hearing.) Continue operation of sand and gravel pit.

If appealing decision of Zoning Administrator, list date of their decision: \_\_\_\_\_

**Present owner(s) of property:** Margaret K. Bramble, LLC Telephone: 410-778-3023

If Applicant is not owner, please indicate your interest in this property: Operator of sand and gravel pit.

Has property involved ever been subject to a previous application? Yes

If so, please give Application Number and Date: Case #: 16-03, Special Exception (granted June 13, 2016)

For Office Use Only:
Case Number/Date Filed: _____
Filed by: _____
Applicant: _____
Planning Commission: _____
Date of Hearing: _____
Parties Notified: _____
Notice in Paper: _____
Property Posted: _____

**PLEASE FILL IN BELOW, OR ATTACH HERETO, A SKETCH OF THIS PROPERTY.**

List all property measurements and dimensions of any buildings already on the property.

**Put distances between present buildings or proposed buildings and property lines.**

**NAMES OF ADJOINING PROPERTY OWNERS:**

Owner(s) on the North: Joseph C. Gsell; Joyce Redman; Brian A. and Elizabeth C. Councill

AMERICAN TOWERS INC C/O AMERICAN TOWERS CORP

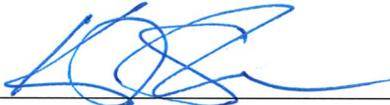
Owner(s) on the South: Merkle, Edgar Kent Trustee & Merkle, Carole N. Trustee; Bigelow, Nelda, Michael D. & Kathleen Hildenbrand; LANGFORD WEST LLC; REDMAN FAMILY FARMS LLC

Owner(s) to the East: \_\_\_\_\_

Owner(s) to the West: Tulip Forest Farming Corp.

Homeowners Association, name and address, if applicable: N/A

**BY SIGNING THIS APPLICATION I GRANT MEMBERS AND ALTERNATE OF THE BOARD OF ZONING APPEALS THE RIGHT TO ENTER ONTO THE PROPERTY FOR THE PURPOSE OF VIEWING THE SITE OF THE APPLICATION OR APPEAL.**

  
\_\_\_\_\_  
Signature of Owner/Applicant/Agent or Attorney

5/6/2021  
\_\_\_\_\_  
Date

**David C. Bramble, President**  
**DAVID A. BRAMBLE, INC.**

Please file this form at 400 High Street, Chestertown, MD 21620 accompanied by **\$350.00** filing fee made payable to the Board of Appeals. If you have any questions, contact Clerk at 410-778-7467.

**NOTICE: Neither the Board of Appeals or the Planning Office is required to make out this Application. Application should be filled in by applicant or its agent. If the Planning Office assists you, they cannot be held responsible for its contents.**

**Applicants arriving more than 10 minutes after the scheduled hearing will not be heard and will be re-scheduled at the applicant's expense.**

# Margaret K. Bramble, LLC

(410)778-3023/(410)778-3427 (FAX) \* 705 MORGNEC ROAD/P. O. BOX 419 \* CHESTERTOWN, MD 21620

May 10, 2021

Re: Project: David A. Bramble, Inc.  
Renewal of Sand & Gravel Pit  
Application No.: # \_\_\_\_\_ and # \_\_\_\_\_  
Special Exception & Site Plan

Two Whom It May Concern:

Margaret K. Bramble, LLC is the owner of the property on which David A. Bramble, Inc. operates a sand and gravel pit. The current special exception for the sand and gravel pit expires in June.

As the property owner, for purposes of the application file, please note our support and consent to renewal of the special exception for a sand and gravel pit on our property.

Sincerely,  
Margaret K. Bramble, LLC



Megan B. Owings, Member

# DAVID A. BRAMBLE, Inc. *General Contractors*

(410)778-3023/(410)778-3427 (FAX) \* 705 MORGNEC ROAD/P. O. BOX 419 \* CHESTERTOWN, MD 21620

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## BEFORE THE KENT COUNTY BOARD OF APPEALS

IN THE MATTER OF

KENT COUNTY, MARYLAND

Margaret K. Bramble, LLC

CASE NO. \_\_\_\_\_

SPECIAL EXCEPTION APPLICATION

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May 10, 2021

### NARRATIVE

In Kent County, Maryland, sand and gravel pits are permitted as a special exception in the Agricultural Zoning District (AZD). See the Land Use Ordinance for Kent County, Maryland (the "Ordinance"), at Article V. §1.3, Special Exceptions in the AZD. David A. Bramble, Inc. ("Bramble" or "Applicant") has successfully operated a sand and gravel pit at this location for over 35 years. This application is for renewal of the current approval, with a proposed relocation of the pit limits without an increase in the pit size.

Pursuant to the Ordinance, Article VII §6 Procedures for Special Exceptions:

*The application for a special exception shall include a site plan together with such data and information as may be required for a determination of the nature of the proposed use and its effect on the Comprehensive Plan, the neighborhood, and surrounding properties.*

In the case of a sand and gravel pit, the Planning Commission shall review the application and send a recommendation to the Board of Appeals.

What follows is Applicant's narrative of the Site Plan Review standards and Special Exception Review standards for consideration:

### SITE PLAN REVIEW STANDARDS

The Ordinance at §VI.5, "Site Plan Review" requires the Applicant to provide a narrative addressing the elements below. The elements and the Applicant's responses are as follows:

1. *Name and address of the landowner, the developer and/or representative, if different from the owner.*

Owner: Margaret K. Bramble, LLC

Operator: David A. Bramble, Inc.

Address: P.O. Box 419, Chestertown, Maryland 21620

*2. Street address, tax map, parcel number, and subdivision if any.*

8415 Rock Hall Road  
MAP 0042, Parcel 0008

Margaret K. Bramble, LLC (“MKB”) purchased the property from the Orem family in March of 2019. Bramble leases the sand and gravel pit from MKB, just as Bramble leased it from the Orem family previously. Prior to MKB purchasing the property, the Orem family recorded several lot line adjustments, which increased the sizes of two family lots located interior to the property, which are Parcel 8 (Lot 2) and Parcel 157. Lot 2, which is closest to the sand and gravel pit, was purchased by MKB in 2019. Parcel 157 is owned by an unrelated party that purchased the parcel in 2018. When the Orem family increased the size of Parcel 157, the new lot configuration of Parcel 157 encroached on the long-established pit limits of the pit operation by 1.37 acres. As a result, in this renewal application the Applicant seeks to shift that 1.37 acres from Parcel 157 to the property and add approximately 50-ft on the west side of the pit limits.

*3. Zoning of site.*

AZD

*4. Current and proposed use of the property.*

Farm, sand and gravel pit, one residence.

*5. An explanation of the viewshed, open space, and conservation analysis undertaken during the design of the site plan*

The Applicant first received special exception approval for the sand and gravel use in 1984 and received renewals of such approval through the latest approval dated June of 2016. The surrounding lands are used for agricultural purposes. The location of the existing use in the interior of the property greatly reduces the potential site and sound impacts of the use on adjoining property owners. The site plan presented is for the continued use of a sand and gravel pit. The site plan submitted reflects any necessary updates required by code, but otherwise is unchanged except as noted above in #2. The excavation site is 19.66 acres located interior of the 164.675 acre property. Only 25% of the allowed area of the operation is used at one time. There are no cultural and historic landmarks or significant natural features in the vicinity of the Property that will be adversely impacted by the Applicant’s operation of a sand and gravel pit. There are no forested areas or other woodlands on the Property that will be disturbed by such operation.

*6. How the proposed development complies with the Comprehensive Plan and the design and environmental standards of this Ordinance.*

The sand and gravel pit use continues to be consistent with the 2018 Kent County Comprehensive Plan (the "Comprehensive Plan"). At page 51, the Comprehensive Plan lists mineral resources, such as sand and gravel, as one of the County's "important natural resources." The Mineral Resource section (page 83) of the Comprehensive Plan, states that, "...aggregates are vital to a healthy economy, and Kent County recognizes that sand and gravel are resources of increasing commercial value." The Comprehensive Plan sets a goal of conserving "...the County's mineral resources for future use while safeguarding the environment and surrounding communities," with strategies of monitoring infrastructure impacts from extraction operations and keeping current with mining regulations, especially with regard to reclamation and post-extraction plans. By virtue of the Special Exception process, the County has set a 5- year review of operations such as this. Additionally, the County recognizes in the Comprehensive Plan that retention and expansion of local businesses is key to the economic success of the County. (Comprehensive Plan page 8). The minerals from this pit support Bramble's construction and asphalt operations. Bramble celebrated 60 years of incorporation in 2019, and is a third generation, family-owned business that is one of the larger employers in Kent County. The continuation of the sand and gravel use supports economic development in the County.

Additionally, surface mining sand and gravel has been declared by the Maryland General Assembly as "a basic and essential activity making an important contribution to the economic well-being of the State and the nation and that this activity must be balanced against potential health, safety, and environmental effects...." See Md. Code Ann., Environment §15-802.

The Application is also consistent with the design and environmental standards of the Ordinance as detailed in the Special Exception section below.

*7. Number of employees.*

There will be no employees permanently located at the site. The materials from the site support the operation of David A. Bramble, Inc., which has approximately 200 employees at this time.

*8. The proposed development schedule and phases of development for all proposed construction.*

The site will continue to be mined in 25% increments. Further expansions are anticipated on the western pit limits.

9. *Citizen Participation Plan*

The Applicant will work with the Planning Department in identifying property owners to be contacted by a mailing that will detail the application and that the request is for continuation of the sand and gravel use, which has been allowed on the property since 1984. At or before any hearing on the application we will report the results of the mailing.

***SPECIAL EXCEPTION REVIEW STANDARDS***

The Ordinance at §VII, "Special Exceptions" §2, "Standards" requires the Board of Appeals to make findings on the following where appropriate. The elements and the Applicant's responses are as follows:

1. *The nature of the proposed site, including its size and shape and the proposed size, shape, and arrangement of structures;*

The site is 164.675 acres, 19.66 of which the Applicant has operated the existing sand and gravel pit since 1984. The Applicant does not seek to expand the area for the sand and gravel operation, except as noted above regarding reconfiguration of the pit limits. The surrounding lands are used for agricultural purposes. The site is accessed via an unimproved lane off of Rock Hall Road, which also serves the agricultural structures and residence on the property. The size of the property is more than adequate for the existing sand and gravel use.

2. *Traffic Patterns;*

Renewal of the existing sand and gravel use will not result in increased traffic. The number of trucks utilizing the unimproved lane and Rock Hall Road will not increase. There is an average of 5 triaxle trucks per day.

3. *Nature of surrounding area;*
4. *Proximity of dwellings, houses of worship, schools, public structures, and other places of public gathering;*

The surrounding area is agricultural and wooded. The nearest places of public gathering are Potters House Ministries, Inc., and Salem Methodist Church, both in the Village of Fairlee, which is less than one mile to the north of the Property. St. Paul's Church is located less than two miles to the south of the Property on Sandy Bottom Road.

*5. The impact of the development or project on community facilities and services;*

There will be no impact on community facilities or services from the continuation of the use. There has never been any evidence presented in the course of prior renewals of the Applicant's special exception of negative impact on community facilities or services resulting from the Applicant's operation of a sand and gravel pit on the Property, and no such evidence has been presented with respect to the instant Application

*6. Preservation of cultural and historic landmarks, significant natural features and trees;*

There are no cultural, historic landmarks, or significant natural features and trees impacted by the use or present on the property.

*7. Probable effect of noise, vibration, smoke and particulate matter, toxic matter, odor, fire or explosion hazards, or glare upon surrounding properties;*

The Applicant has appropriate measures in place to control any such effects of noise, vibration, smoke and particulate matter, toxic matter, odor, fire or explosion hazards, or glare upon surrounding properties. The sand and gravel operation has been in existence since 1984 and the County has not received any complaints regarding any of these items, therefore there is no reason to believe that surrounding properties are negatively impacted by the operation or would be negatively impacted by the continuation of the operation.

*8. The purpose and intent of this Ordinance as set forth in Article II;*

The continuation of the existing use promotes the intent of the Ordinance by giving effect to the policies and proposal set forth in the Comprehensive Plan. The continuation of the use enhances the County's employment-base as noted previously herein. This is accomplished without impacting water quality or having a negative impact on the environment given the Applicant's mineral permit with the State, sediment and erosion control plan, and operating restoration plan.

*9. Design, environmental, and other standards of this Ordinance as set forth in Article V;*

The site plan is compliant with the Ordinance.

*10. The most appropriate use of land and structure;*

The sand and gravel use has previously been deemed an appropriate use on the property.

*11. Conservation of property values;*

There is no evidence that the Applicant's use of the Property will negatively impact any neighboring properties or property values. As noted in the Applicant's 2011 renewal, screening of the sand and gravel pit is not necessary due to the Property's topography and surrounding forested areas.

*12. The proposed development's impact on water quality;*

*13. Impact on fish, wildlife and plant habitat;*

There is no evidence that the proposed use will have any impact of water quality, fish, wildlife or plant habitat. There are no known threatened or endangered species, areas of specific value, or rare assemblages of species or other vital habitat at the site.

*14. Consistency with the Comprehensive Plan, Land Use Ordinance, and where applicable the Village Master Plan;*

*15. Consistency with the Critical Area Program; and*

The property is not in the Critical Area.

*16. Compatibility with existing and planned land use as described in the Comprehensive Plan, Land Use Ordinance, and where applicable the Village Master Plan.*

See discussion above at Site Plan Review Standards section, #6.

***ARTICLE VII, Section 7, "Special Exceptions"***

The particular use "sand and gravel pits, excavations or extractions" is permitted in the AZD if the use meets the criteria set forth at Article VII, §7.52. Accordingly, the Applicant hereby incorporates into the record the prior approvals for the use and asserts that the following criteria will continue to be satisfied:

**SECTION 7. SPECIAL EXCEPTIONS**

Buildings, structures, and uses for which special exceptions may be authorized and the additional standards relative thereto are as follows:

52. Sand and gravel pits, excavation or extraction (not including the removal of sod, and excavation for foundations, swimming pools, soil and water conservation practices, and those removals approved in connection with farm use, street construction, subdivision or planned residential development) in AZD, RCD, RC, RR and CAR provided:

- a. The special exception shall be for a period not to exceed five years
- b. Material is not brought from off-site for processing, mixing, or similar uses

- c. The excavation or extraction operation shall be controlled to offer reasonable protection to surrounding properties and the neighborhood, particularly as regards to use of residential streets for access to the site
- d. There are no known threatened or endangered species, areas of specific value, or rare assemblages of species or other vital habitat at the site
- e. In RCD and CAR, highly erodible soils are not disturbed at the site
- f. The operation will not disturb for future use prime agricultural lands or forest and developed woodlands of more than one acre
- g. The operation will not degrade water quality
- h. The operation does not disturb the minimum 100-foot buffer or stream protection corridor
- i. The operation is under an approved operating and restoration plan from the State of Maryland
- j. The operation does not adversely affect a non-tidal wetland directly or hydrologically
- k. The location of the excavation or extraction with respect to property lines, the depth of excavation, and relation to the water table or flood criteria and the slope of the sides of the excavation shall be controlled to prevent a continuing, unsightly, hazardous, or wasteful condition of the land.

COMMENT: In addition to previous findings for approval on this use at this location as well as the information provided in this narrative, please also note:

- The renewal of the Applicant's special exception will not exceed five years;
- Except as approved (i.e. dredge spoils), material shall not be brought from off-site for processing, mixing, or similar uses;
- The Applicant's operation is controlled to offer reasonable protection to surrounding properties and the neighborhood, particularly with respect to the use of residential streets for access thereto;
- There are no known threatened or endangered species, areas of specific value, or rare assemblages of species or other vital habitat on the Property;
- The Applicant's operation of a sand and gravel pit on the property does not disturb future use of prime agricultural lands or forest and developed woodlands of more than one acre, degrade water quality, or disturb the minimum 100-foot buffer or stream protection corridor;
- The operation is under an approved operating and restoration plan from the State of Maryland and does not adversely affect a non-tidal wetland directly or hydrologically; and
- The location of the Applicant's sand and gravel pit on the Property, with respect to property lines, the depth of excavation, and relation to the water table or flood criteria and the slope of the sides of the excavation, is controlled to protect sightlines, hazardous, or wasteful condition of the Property.

Application of David A. Bramble, Inc.

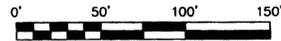
May 10, 2021

Page 8

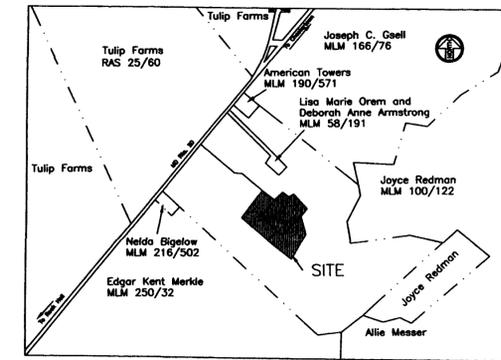
The Applicant respectfully requests approval of the instant application for a special exception, subject to the conditions established in the most recent prior approval (Case No. 11-16).

Respectfully Submitted,  
DAVID A. BRAMBLE, INC.

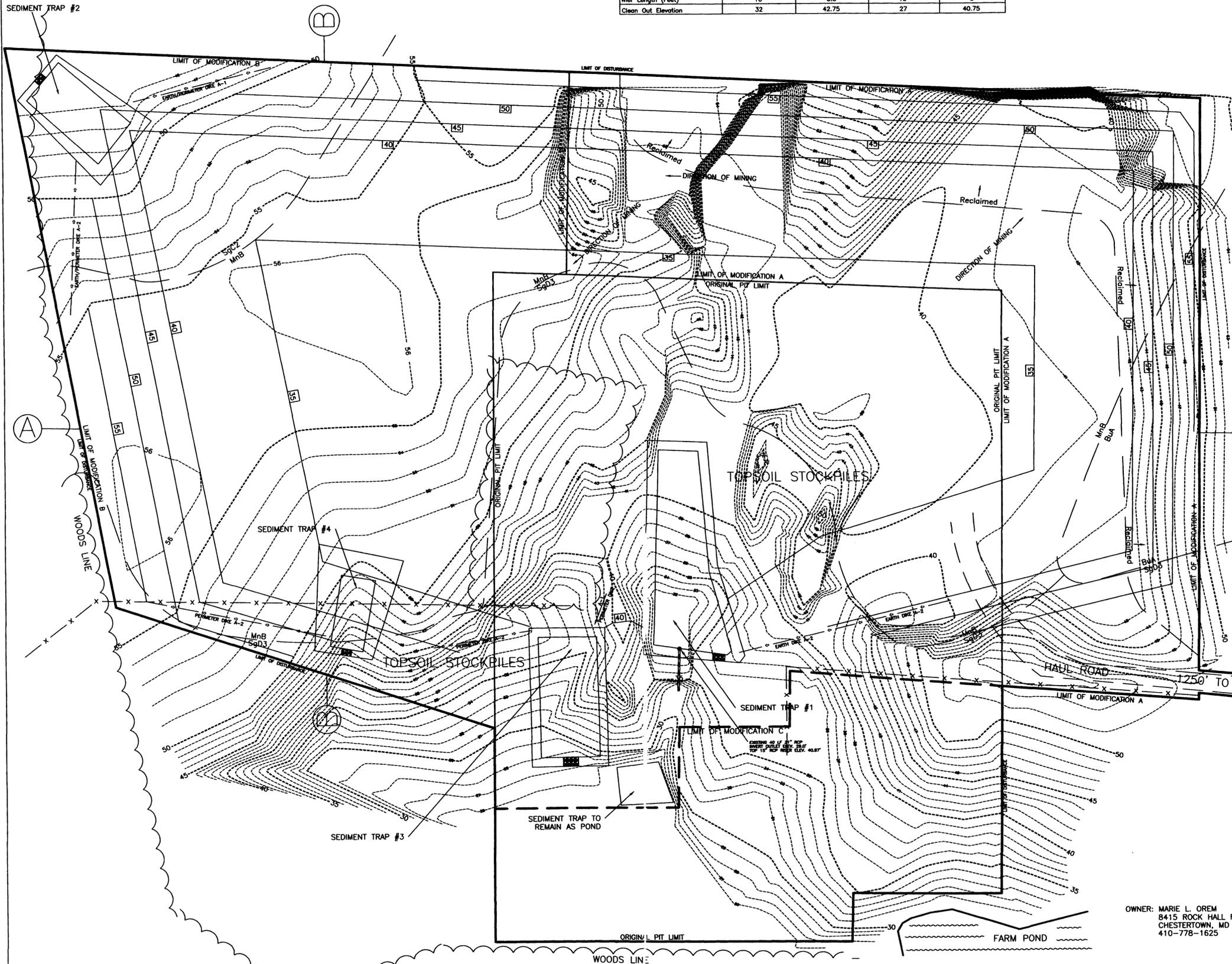
  
Megan B. Owings



Trap No.	1	2	3	4
Trap Type	ST-III, Rip Rap Outlet	ST-III, Rip Rap Outlet	ST-III, Rip Rap Outlet	ST-II, Stone Outlet
D. A. To Trap (Acres)	7.5	2.5	6.4	1.9
Req'd Storage (CF)	40,500	13,500	34,560	6,840
Provided Storage (CF)	43,156	13,950	35,072	7,560
Bottom Dimensions	67X135	50X96	60X120	35X70
Bottom Elevation	31	41.5	26	39.5
Wier Crest Elevation	35	44	30	42
Top of Embankment Elevation	38	46.5	32.5	43
Wier Length (Feet)	10	5.5	15	8
Clean Out Elevation	32	42.75	27	40.75



VICINITY MAP  
SCALE = 1"=1400'



DEVELOPER'S CERTIFICATE

I (WE) CERTIFY THAT:

A. All development and construction will be done in accordance with this Sediment and Erosion Control Plan and/or Stormwater Management Plan, and further, authorize the right of entry for periodic on-site evaluation by the Kent County Sediment Control Inspector.

B. Any responsible personnel involved in the construction project will have a Certificate of Attendance at a Department of the Environment Approved Training Program for the Control of Sediment and Erosion before beginning the project.

C. It will be the responsibility of the contractor or the subcontractor to notify the engineer of any deviation from this Plan. Any change made in this plan without written authorization from the engineer will place responsibility for said change on the contractor or subcontractor.

Signature: *[Signature]* Date: 04/11/16  
 Address: 705 MORGNEC RD, CHESTERTOWN, MD 21620  
 Card No.: 26325 Phone No.: 410-778-3023

Legend

- Pit Limit/Limit of Disturbance
- Earth/Perimeter Dike
- x - x - Fence Line
- Existing Contours
- Proposed Contours
- Tree Line

OWNER: MARIE L. OREM  
8415 ROCK HALL RD.  
CHESTERTOWN, MD 21620  
410-778-1625

Kent County Department of Health  
 Signature \_\_\_\_\_ Date \_\_\_\_\_

Kent County Department of Planning and Zoning  
 Signature \_\_\_\_\_ Date \_\_\_\_\_

REVIEWED FOR KENT SOIL AND WATER CONSERVATION DISTRICT AND MEETS TECHNICAL REQUIREMENTS  
 KENT SOIL AND WATER CONSERVATION DISTRICT DATE

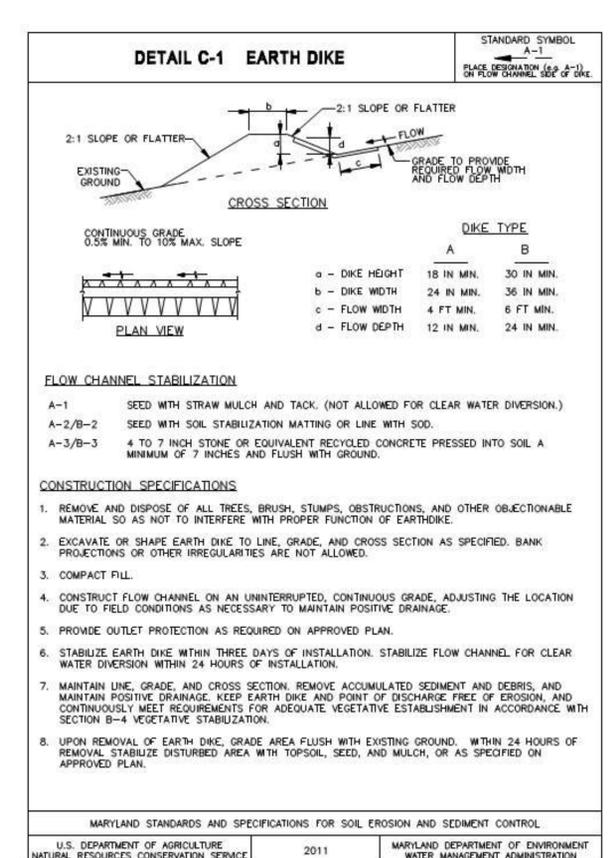
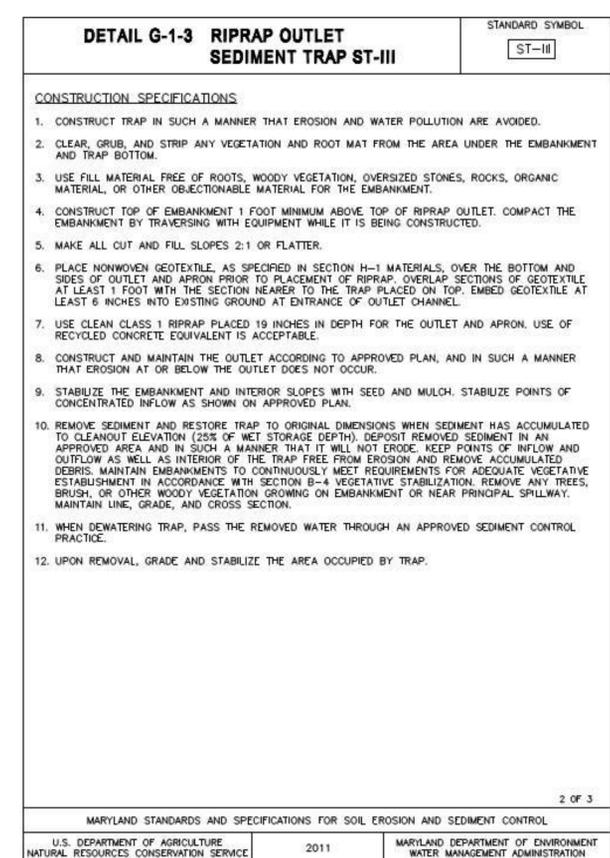
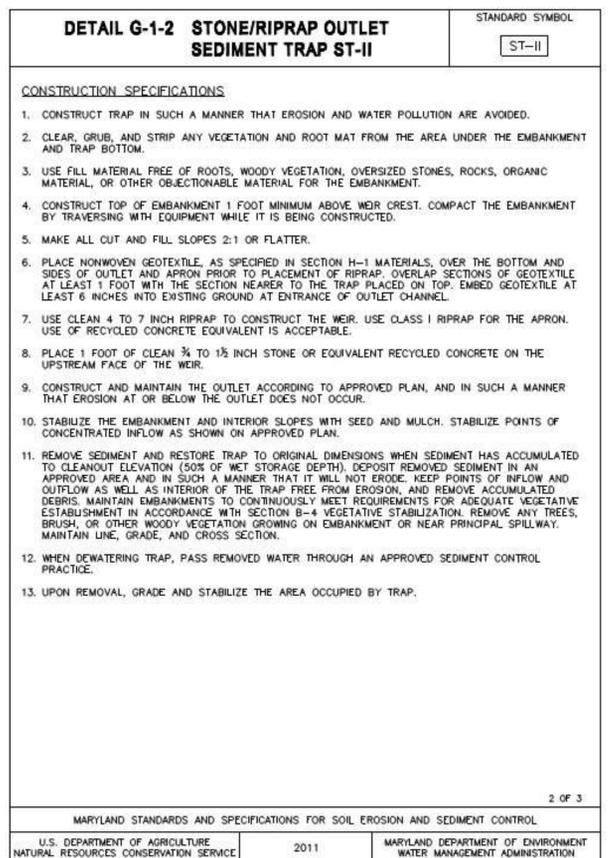
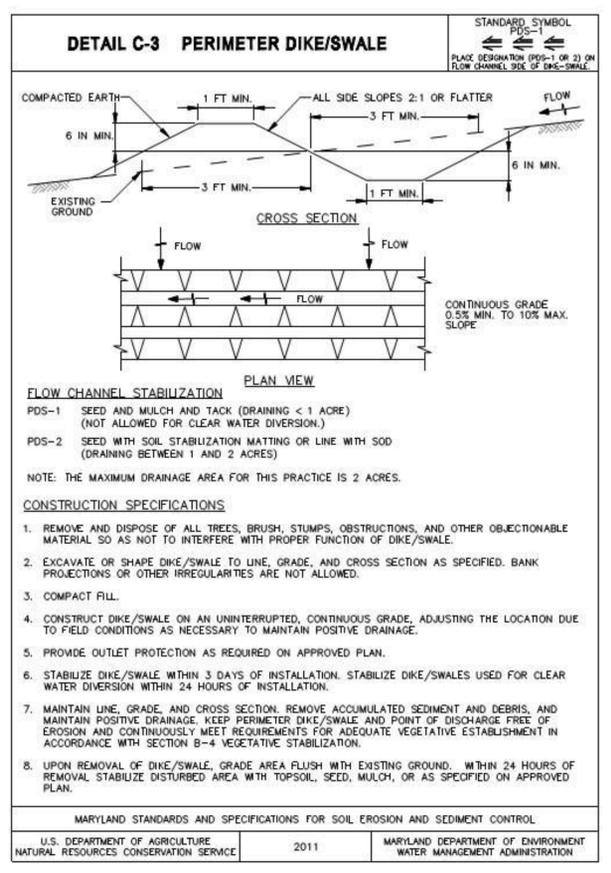
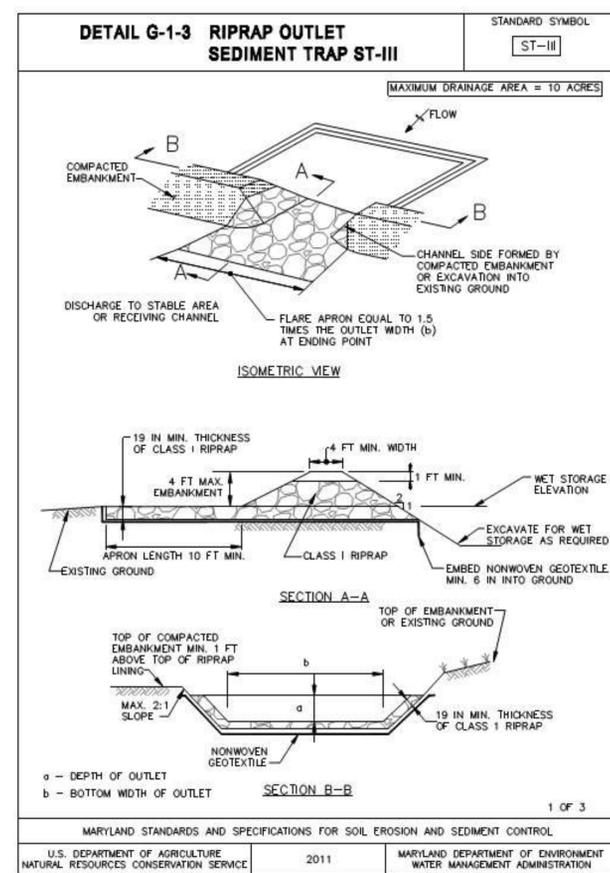
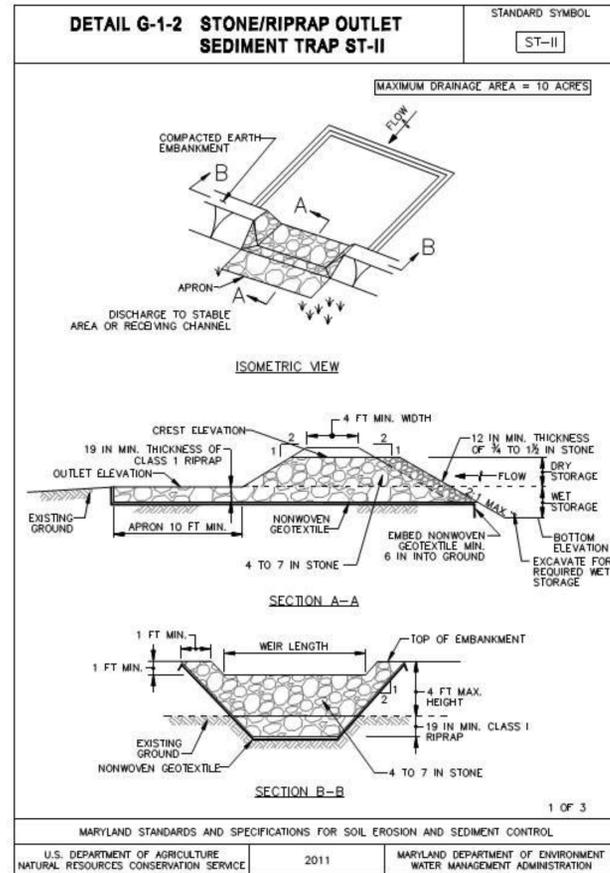
KENT SOIL & WATER CONSERVATION DISTRICT RESERVES THE RIGHT TO ADD, DELETE, MODIFY OR OTHERWISE ALTER THE SEDIMENT CONTROL PROVISIONS OF THIS PLAN IN THE EVENT ADDITIONAL PROTECTION BECOMES NECESSARY.

DAVID A. BRAMBLE INC.  
 GENERAL CONTRACTORS  
 705 MORGNEC RD. PO BOX 419  
 CHESTERTOWN MD, 21620  
 FAX 410-778-3427  
 410-778-3023

MINING PLAN MODIFICATION C  
**DUDLEY OREM BORROW PIT**  
 Kent County, Maryland  
 Tax Map 42, Parcel 8, Lot 1  
 August 2004  
 Scale = 1"=50'

SHEET 1 OF 4





Kent County Department of Health

Signature \_\_\_\_\_ Date \_\_\_\_\_

Kent County Department of Planning and Zoning

Signature \_\_\_\_\_ Date \_\_\_\_\_

REVIEWED FOR KENT SOIL AND WATER CONSERVATION DISTRICT AND MEETS TECHNICAL REQUIREMENTS

KENT SOIL AND WATER CONSERVATION DISTRICT

DATE

DAVID A. BRAMBLE INC. GENERAL CONTRACTORS

705 MORGNEC RD., PO BOX 419 CHESTERTOWN, MD, 21620

FAX 410-778-3427 410-778-3023

CROSS SECTIONS

DUDLEY OREM BORROW PIT

Kent County, Maryland

Tax Map 42, Parcel 8, Lot 1

DATE: 08/10/2004

DRAWN BY: SEWAC

04/08/2016

SHEET 3 OF 4

**EROSION AND SEDIMENT CONTROL NOTES, DETAILS AND SPECIFICATIONS**

**1. SEEDING (PERMANENT)**

- (a) Shall be conducted between Feb. 1<sup>st</sup> to April 30<sup>th</sup>, August 15<sup>th</sup> to October 31<sup>st</sup>.
- (b) Seed bed preparation: apply 25 lbs. of 10-10-10 fertilizer per 1,000 sq. ft., harrow or disk into soil to a depth of 3 to 4 inches. Apply pulverized ground limestone at a rate of 50 lbs. per 1,000 sq. ft.
- (c) Seed application: Apply 2.3 lbs per 1,000 square ft or 100 lbs per acre of Kentucky 31 Tall Fescue on a moist seed bed with suitable equipment; minimum cover 1/4 inch. Apply one bushel small grain seed (wheat, barley, rye, etc.) per acre.
- (d) Mulch: immediately after seeding, uniformly mulch entire area with unweathered small grain straw at a rate of 1 1/2 to 2 tons per acre. Mulch to be anchored with mulch anchoring tool on the center or asphalt tie down method (on ditches only).

**2. TEMPORARY STABILIZATION**

- (a) Provide seed bed same as 1-b above.
- (b) Provide temporary seeding at a rate of 150 lbs./ac. (3.44 lbs./1000 sq. ft.) annual rye seed.
- (c) Mulch same as 1-d above.

3. If temporary stabilization is required, permanent seeding shall be performed during the next applicable period (see statement 1-a above).

4. All fill slope areas shown on the plans are to be stabilized as per statement 1 or 2 above immediately after completion of grading operations for these slopes.

5. Clear and grub all fill areas shown on plan.

6. Roadside ditches shall be constructed with 4:1 side slopes. All ditches shall be seeded with 4:1 side slopes. All ditches shall be seeded in accordance with 1-b above.

7. Ditches shall be stabilized after placement of seed and mulch with Excelsior Matting. The centerline of all ditches shall have a minimum of one (1) standard width of matting except where grades are in excess of 3%. Then the double width of matting shall be provided.

8. Riprap and approved filter cloth shall be placed at all culverts as shown on the plans.

9. All Erosion and Sediment Control devices and stabilization shall conform to Kent Soil and Water Conservation District standards and specifications.

**Table B.3: Selected List of Permanent Herbaceous Seeding Mixtures (Continued)**

Mix	Recommended Cultivar	Seeding Rate <sup>1/</sup>		Soil Drainage Class <sup>2/</sup>	Max. Height (inch)	Maint. Level <sup>3/</sup>	Remarks
		lb/ac	lb/1000 ft <sup>2</sup>				
11. Creeping Red Fescue ( <i>Festuca rubra</i> var. <i>rubra</i> )	Dawson, Pennlawn, Flyer, Fortess, Ruby, or Salem	30	0.69				
Chewings Fescue ( <i>Festuca rubra</i> ssp. <i>commutata</i> )	Common	30	0.69				
Kentucky Bluegrass ( <i>Poa pratensis</i> )	Recommended MD turf-types <sup>2/</sup>	20	0.46	E - MW	2 - 3	B - D	
<b>OPTIONAL ADDITION</b>							
Rough Bluegrass ( <i>Poa trivialis</i> )	Common	15	0.34				Add rough bluegrass in moist, shady conditions.
12. Creeping Red Fescue ( <i>Festuca rubra</i> var. <i>rubra</i> )	Dawson, Pennlawn, Flyer, Fortess, Ruby, or Salem	25	0.57				Attractive mix of fine fescues and wildflowers for low maintenance conditions. Once well-established, the grasses may tend to outcompete the wildflowers.
Hard Fescue ( <i>Festuca trachyphylla</i> )	Atila or Aurora	25	0.57				
Sheep Fescue ( <i>Festuca ovina</i> )	Common or Bighorn	25	0.57				Wildflowers are best established by broadcasting and cultipacking on a prepared seedbed. Drilling can be also used, but care must be taken so that seeds are not drilled too deep.
<b>PLUS WILDFLOWER MIX:</b>							
Black-eyed Susan ( <i>Rudbeckia hirta</i> )	Common	2	0.05	E - MW	2 - 3	C - D	Hydroseeding is not recommended for this mix if wildflowers are used. (They have very small seeds.)
Lance-leaved Coreopsis ( <i>Coreopsis lanceolata</i> )	Common	2	0.05				
Purple Coneflower ( <i>Echinacea purpurea</i> )	Common	2	0.05				
Partridge Pea ( <i>Chamaecrista fasciculata</i> )	Common	5	0.11				
<b>OR ADD CLOVER MIX:</b>							
White Clover ( <i>Trifolium repens</i> )	Common	3	0.07				
Red Clover ( <i>Trifolium pretense</i> )	Any	3	0.07				

**GENERAL NOTES**

1. Notification of Kent County sediment and erosion control inspector at 410-778-7437 at least five (5) days prior to the start of work.
2. Prior to the start of work, the Contractor is to obtain County approval of any proposed changes and sequence of construction, specifically relating to installation, inspection, maintenance and removal of erosion and sediment control measures.
3. Sediment control measures are not to be removed until the areas served have established vegetative cover, or with the permission of the County Sediment Control Inspector.
4. When pumping sediment-laden water, the discharge must be directed to approved sediment trapping measure prior to release from the site.
5. All temporary stockpiles are to be located within areas protected by sediment control measures, and are to be temporarily stabilized.
6. All sediment control dikes, swales, basins and flow lines to basins will be temporarily seeded immediately upon installation to reduce the contribution to sediment loading.
7. Disposal of excess earth materials on State or Federal property requires MDE approval, otherwise materials are to be disposed of at a location approved by the local authority.
8. Temporary soil erosion control and sediment control measures are to be provided as per the approved plan prior to grading operation. Location adjustments are to be made in the field as necessary. The minimum area practical shall be disturbed for the minimum possible time.
9. If grading is completed out of seeding season, graded areas are to be temporarily stabilized by mulch and mulch anchoring. Mulch material shall be un-weathered, un-chopped small grain straw spread at the rate of 1 1/2 to 2 tons per acre. Mulch anchoring to be accomplished by an approved method, use of a mulch anchoring tool is recommended where possible.
10. Implementation of the sediment control plan shall be in accordance with the "2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control", of the Department of the Environment.
11. The Contractor is responsible for implementation and maintenance of the approved plan, and all other measures necessary to control, filter, or prevent sediment from leaving the site.
12. In cases where storm water management structures are a part of site development, removal of sediment control may not be accomplished before the contributing area to the storm water management structure is stabilized.
13. On sites where infiltration techniques are utilized for the control of storm water, extreme care must be taken to prevent all runoff from entering the structure during construction.
14. Sediment control for utility construction in areas outside of designed controls:
  - a. Excavated trench material shall be placed on the high side of the trench.
  - b. Immediately following pipe installation the trench shall be backfilled, compacted and stabilized at the end of each working day.
  - c. Temporary silt fence or straw bale dikes shall be placed immediately downstream of any disturbed area intended to remain disturbed longer than one working day.
15. All points of construction ingress and egress shall be protected to prevent tracking of mud onto public ways.

16. Site Information:  
Total Area of Site 153 Acres

Area Disturbed 15.0 Acres

Total Cut 90,000 Cu. Yds.

Total Fill None Cu. Yds.

Offsite Waste/Borrow None  
Area Location

**Table B.5: Recommended Planting Dates for Permanent Cover in Maryland <sup>1/</sup>**

Type of Plant Material	Plant Hardiness Zones		
	5b and 6a	6b	7a and 7b
Seeds - Cool-Season Grasses (includes mixes with forbs and/or legumes)	Mar 15 to May 31 Aug 1 to Sep 30	Mar 1 to May 15 Aug 1 to Oct 15	Feb 15 to Apr 30 Aug 15 to Oct 31 Nov 1 to Nov 30
Seeds - Warm-Season/Cool-Season Grass Mixes (includes mixes with forbs and/or legumes)	Mar 15 to May 31 ♦♦ Jun 1 to Jun 15*	Mar 1 to May 15 ♦♦ May 16 to Jun 15*	Feb 15 to Apr 30 ♦♦ May 1 to May 31*
Sod - Cool-Season	Mar 15 to May 31 Jun 1 to Aug 31* Sep 1 to Nov 1*+	Mar 1 to May 15 May 16 to Sep 14* Sep 15 to Nov 15*+	Feb 15 to Apr 30 May 1 to Sep 30* Oct 1 to Dec 1*+
Unrooted Woody Materials; Bare-Root Plants; Bulbs, Rhizomes, Corms, and Tubers	Mar 15 to May 31 Jun 1 to Jun 30*	Mar 1 to May 15 May 16 to Jun 30*	Feb 15 to Apr 30 May 1 to Jun 30*
Containerized Stock; Balled-and-Burlapped Stock	Mar 15 to May 31 Jun 1 to Jun 30* Sep 1 to Nov 15*+	Mar 1 to May 15 May 16 to Jun 30* Sep 15 to Nov 30*+	Feb 15 to Apr 30 May 1 to Jun 30* Oct 1 to Dec 15*+

**Notes:**

1. The planting dates listed are averages for each zone. These dates may require adjustment to reflect local conditions, especially near the boundaries of the zones. When seeding toward the end of the listed planting dates, or when conditions are expected to be less than optimal, select an appropriate nurse crop from Table B.1 Temporary Seeding for Site Stabilization and plant together with the permanent seeding mix.
2. When planted during the growing season, most of these materials must be purchased and kept in a dormant condition until planting. Bare-root grasses are the exception—they may be supplied as growing (non-dormant) plants.
- ♦ Additional planting dates for the lower Coastal Plain, dependent on annual rainfall and temperature trends. Recommend adding a nurse crop, as noted above, if planting during this period.
- ♦♦ Warm-season grasses need a soil temperature of at least 50 degrees F in order to germinate. If soil temperatures are colder than 50 degrees, or moisture is not adequate, the seeds will remain dormant until conditions are favorable. In general, planting during the latter portion of this period allows more time for weed emergence and weed control prior to planting. When selecting a planting date, consider the need for weed control vs. the likelihood of having sufficient moisture for later plantings, especially on droughty sites.
- \* Additional planting dates during which supplemental watering may be needed to ensure plant establishment.
- + Frequent freezing and thawing of wet soils may result in frost-heaving of materials planted in late fall, if plants have not sufficiently rooted in place. Soil usually needs 4 to 6 weeks to become sufficiently rooted. Large containerized and balled-and-burlapped stock may be planted into the winter months as long as the ground is not frozen and soil moisture is adequate.

**INSPECTION CHECKLIST**

The contractor shall notify the Kent County Sediment Control Inspector (410-778-7437) at the following points:

1. The required pre-construction meeting.
2. Following installation of sediment control measures.
3. During the installation of the sediment basins.

Notification shall be for each step.

- a. clearing and grubbing
- b. core trench installation
- c. pipe and anti-seep collar installation
- d. during dam fill
- e. emergency spillway installation
- f. completion of structure

4. Prior to removal or modification of any sediment control structure.
5. Prior to removal of all sediment control measures.
6. Prior to final acceptance.

**NOTE TO CONTRACTOR**

**EROSION AND SEDIMENT CONTROL WILL BE STRICTLY ENFORCED**

**STANDARD STABILIZATION NOTE**

Following initial soil disturbance or re-disturbance, permanent or temporary stabilization must be completed within:

- a.) Three (3) calendar days as to the surface of all perimeter dikes, swales, ditches, perimeter slopes, and all slopes steeper than 3 horizontal to 1 vertical (3:1); and
- b.) Seven (7) calendar days as to all other disturbed or graded areas on the project site not under active grading.

**CONSTRUCTION SEQUENCE**

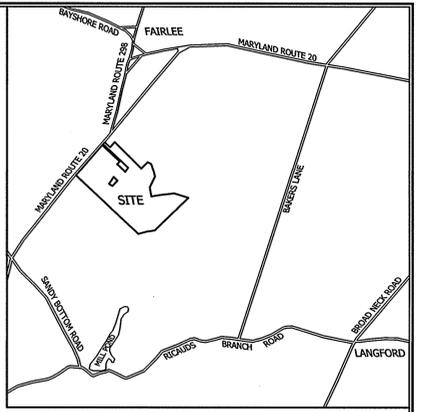
1. Prior to any construction, notify the Maryland Department of Environment inspector at 410-631-8055, Minerals, Oil, and Gas Division and Kent Soil and Water Conservation District at 410-778-5150 to arrange a pre-construction meeting.
2. Construct the new Sediment Trap 1 in accordance with the 2011 Maryland standards and fill/remove the existing sediment trap.
3. Upon approval, place the initial perimeter sediment control features indicated on the plans.
4. Clear and strip topsoil, placing it in the area shown on the pit floor.
5. Excavate pit, mining to the limits indicated.
6. Sediment traps must be in place prior to mining the area that they protect.
7. As mining progresses, Sediment Traps 2 and 4 will cease to function. Sediment Trap 3 must be complete prior to the abandoning of Sediment Trap 4.
8. At the completion of mining, all slopes and the floor of the pit are to be topsoiled, seeded, and mulched in accordance with the approved mining plan.
9. Prior to the removal of the remaining sediment traps and other sediment control features, approval must be obtained from the appropriate authorities indicated in step 1 of this sequence.

Kent County Department of Health	
Signature _____	Date _____
Kent County Department of Planning and Zoning	
Signature _____	Date _____

REVIEWED FOR KENT SOIL AND WATER CONSERVATION DISTRICT AND MEETS TECHNICAL REQUIREMENTS  
 KENT SOIL AND WATER CONSERVATION DISTRICT \_\_\_\_\_ DATE \_\_\_\_\_  
 KENT SOIL & WATER CONSERVATION DISTRICT RESERVES THE RIGHT TO ADD, DELETE, MODIFY OR OTHERWISE ALTER THE SEDIMENT CONTROL PROVISIONS OF THIS PLAN IN THE EVENT ADDITIONAL PROTECTION BECOMES NECESSARY.  
 DAVID A. BRAMBLE, INC. GENERAL CONTRACTORS  
 CROSS SECTIONS  
**DUDLEY OREM BORROW PIT**  
 Kent County, Maryland  
 Tax Map 42, Parcel 8, Lot 1  
 SHEET 4 OF 4  
 DRAWN BY: SEW/DAC  
 DATE: 08/10/2004  
 04/08/2016  
 705 MORGNEC RD., PO BOX 419  
 CHESTERTOWN, MD, 21620  
 FAX 410-778-3427  
 410-778-3023

RECEIVED  
CLERK OF CIRCUIT COURT  
2018 JUN 21 10 24 AM  
KENT COUNTY

LR - Plat Fee - 12.00  
General Survey/Book - 197A  
Dismemberment - 197A  
Ref. Plat. Book 5, 197A  
Taxes: 12.00  
06/21/2018 02:11:11  
#18586278 CC0264  
Kent County/Clerk  
- Respected, BI



PARCEL 126  
LANDS OF  
MICHAEL D. HILDEBRAND et ux.  
M.L.M. 546/85

PARCEL 8A  
LANDS OF  
AMERICAN TOWERS INC.  
M.L.M. 150/571

SUBDIVISIONS SINCE DECEMBER 1969 -  
3.129 ACRES TO LISA M. OREM - 4-29-94 PER M.L.M. 58/191  
1.350 ACRES TO LEE ANN OREM MARVEL et al. - 10-10-07 PER M.L.M. 540/585  
AREA OF FARM AS OF DECEMBER 1969 - 182.994AC±  
10% OF WHICH = 18.299AC±  
TOTAL AREA OF OUTCONVEYANCES = 16.323AC±

LINE	BEARING	DISTANCE
1	S 38°01'26" E	7.38
2	S 44°04'59" E	89.27
3	S 49°00'17" E	95.27
4	S 40°45'04" E	20.52
5	S 39°22'25" W	296.81
6	N 59°15'40" W	161.68
7	N 30°44'21" E	342.97
8	N 30°44'20" E	242.97
9	N 59°15'40" W	406.01
10	N 01°37'55" W	218.72
11	N 38°08'19" W	711.69
12	N 39°15'35" E	51.23
13	S 38°08'19" E	739.33
14	S 01°37'55" E	207.71
15	S 59°15'40" E	378.51
16	S 30°44'22" W	50.00

PARCEL 25  
LANDS OF  
EDGAR KENT MERKLE, Trustee  
M.L.M. 814/467

PARCEL 36  
LANDS OF  
JOSEPH C. GSELL et ux.  
M.L.M. 166/76

PARCEL 8, LOT 1  
LANDS OF  
MARIE L. OREM et al.  
M.L.M. 910/94  
EXISTING AREA  
178.766AC±  
RESULTING AREA  
166.651AC±

PARCEL 6  
LANDS OF  
JOYCE D. REDMAN  
E.H.P. 230/313

PARCEL 11  
LANDS OF  
LANGFORD WEST LLC  
M.L.M. 933/124

PARCEL 40  
LANDS OF  
JOYCE D. REDMAN  
M.L.M. 100/122

SITE CURRENTLY ZONED - AZD - AGRICULTURAL  
--- DENOTES EXISTING PROPERTY LINE  
--- DENOTES PROPOSED PROPERTY LINE  
--- DENOTES PROPERTY LINE TO BE REMOVED  
ALL MEASUREMENTS SHOWN HEREON ARE THE RESULT OF A FIELD RUN SURVEY

APPROVED:  
*[Signature]*  
DATE: 6/20/18  
KENT COUNTY DIRECTOR OF PLANNING

APPROVED:  
*[Signature]*  
DATE: 6/20/18  
KENT COUNTY HEALTH DEPT. APPROVING AUTHORITY



KENT COUNTY HAS ADOPTED A RIGHT TO FARM LAW THAT PROTECTS AGRICULTURAL OPERATIONS IF SUCH OPERATIONS ARE CONDUCTED IN ACCORDANCE WITH GENERAL ACCEPTED AGRICULTURAL PRACTICES. THIS SUBDIVISION IS LOCATED ADJACENT TO OR NEAR AGRICULTURAL OPERATIONS AND THE OWNERS OF THESE LOTS MAY BE SUBJECT TO INCONVENIENCES ARISING FROM SUCH OPERATIONS.

LOT LINE ADJUSTMENT  
OF THE LANDS OF,  
**MARIE L. OREM et al.**  
SIXTH ELECTION DISTRICT, KENT COUNTY, MARYLAND  
TAX MAP 42, PARCEL 8

SCALE  
1"=200'  
DRAWN BY  
RAM  
DATE  
6-20-18  
JOB NO.  
926  
REVISIONS

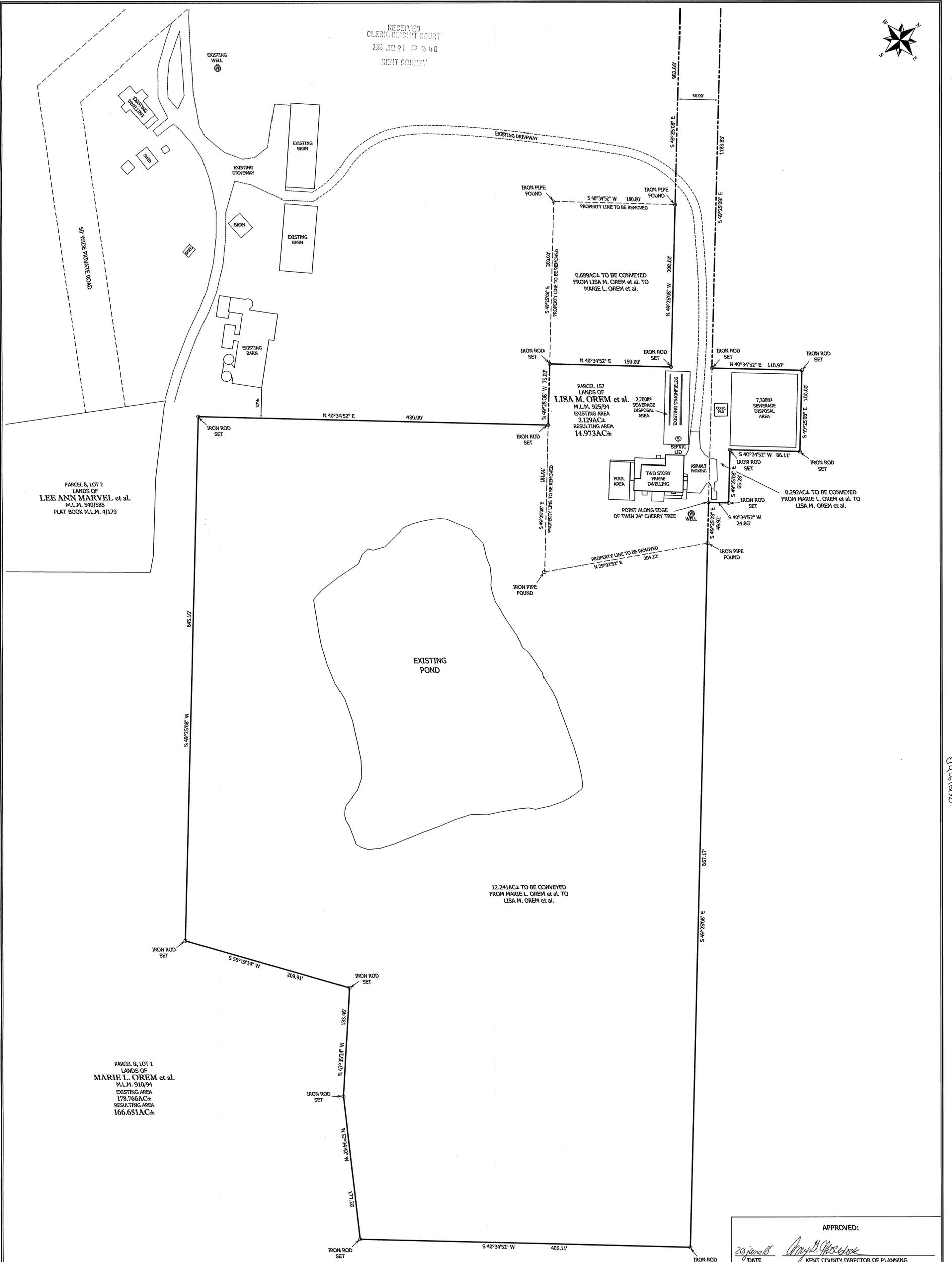
**EXTREME MEASURES**  
LAND SURVEYORS  
Chestertown, MD 21620 PHONE 410-778-0147  
www.extrememeasuresllc.com



KENT COUNTY CIRCUIT COURT (Plat Book) Plat Book MLM 5, pp. 197A-197B, MSA C2123\_3597. Date available 2018/06/21. Printed 05/10/2021.

06/19/2018

RECEIVED  
CLERK OF COURT  
2018 JUN 21 P 2:40  
KENT COUNTY



PARCEL 8, LOT 2  
LANDS OF  
**LEE ANN MARVEL et al.**  
M.L.M. 540/585  
PLAT BOOK M.L.M. 4/179

PARCEL 8, LOT 1  
LANDS OF  
**MARIE L. OREM et al.**  
M.L.M. 910/94  
EXISTING AREA  
178.766 AC±  
RESULTING AREA  
166.651 AC±

PARCEL 157  
LANDS OF  
**LISA M. OREM et al.**  
M.L.M. 925/94  
EXISTING AREA  
3.129 AC±  
RESULTING AREA  
14.973 AC±

12.241 AC± TO BE CONVEYED  
FROM MARIE L. OREM et al. TO  
LISA M. OREM et al.

0.292 AC± TO BE CONVEYED  
FROM MARIE L. OREM et al. TO  
LISA M. OREM et al.

SITE CURRENTLY ZONED - AZD - AGRICULTURAL

- DENOTES EXISTING PROPERTY LINE
- - - DENOTES PROPOSED PROPERTY LINE
- DENOTES PROPOSED PROPERTY LINE

ALL MEASUREMENTS SHOWN HEREON ARE THE  
RESULT OF A FIELD RUN SURVEY



KENT COUNTY HAS ADOPTED A RIGHT TO FARM LAW THAT PROTECTS AGRICULTURAL  
OPERATIONS IF SUCH OPERATIONS ARE CONDUCTED IN ACCORDANCE WITH GENERAL  
ACCEPTED AGRICULTURAL PRACTICES. THIS SUBDIVISION IS LOCATED ADJACENT TO OR NEAR  
AGRICULTURAL OPERATIONS AND THE OWNERS OF THESE LOTS MAY BE SUBJECT TO  
INCONVENIENCES ARISING FROM SUCH OPERATIONS.

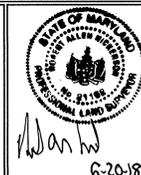
APPROVED:  
*20 June 18* *Amel G...*  
DATE KENT COUNTY DIRECTOR OF PLANNING

APPROVED:  
*6/20/18* *John C...*  
DATE KENT COUNTY HEALTH DEPT. APPROVING AUTHORITY

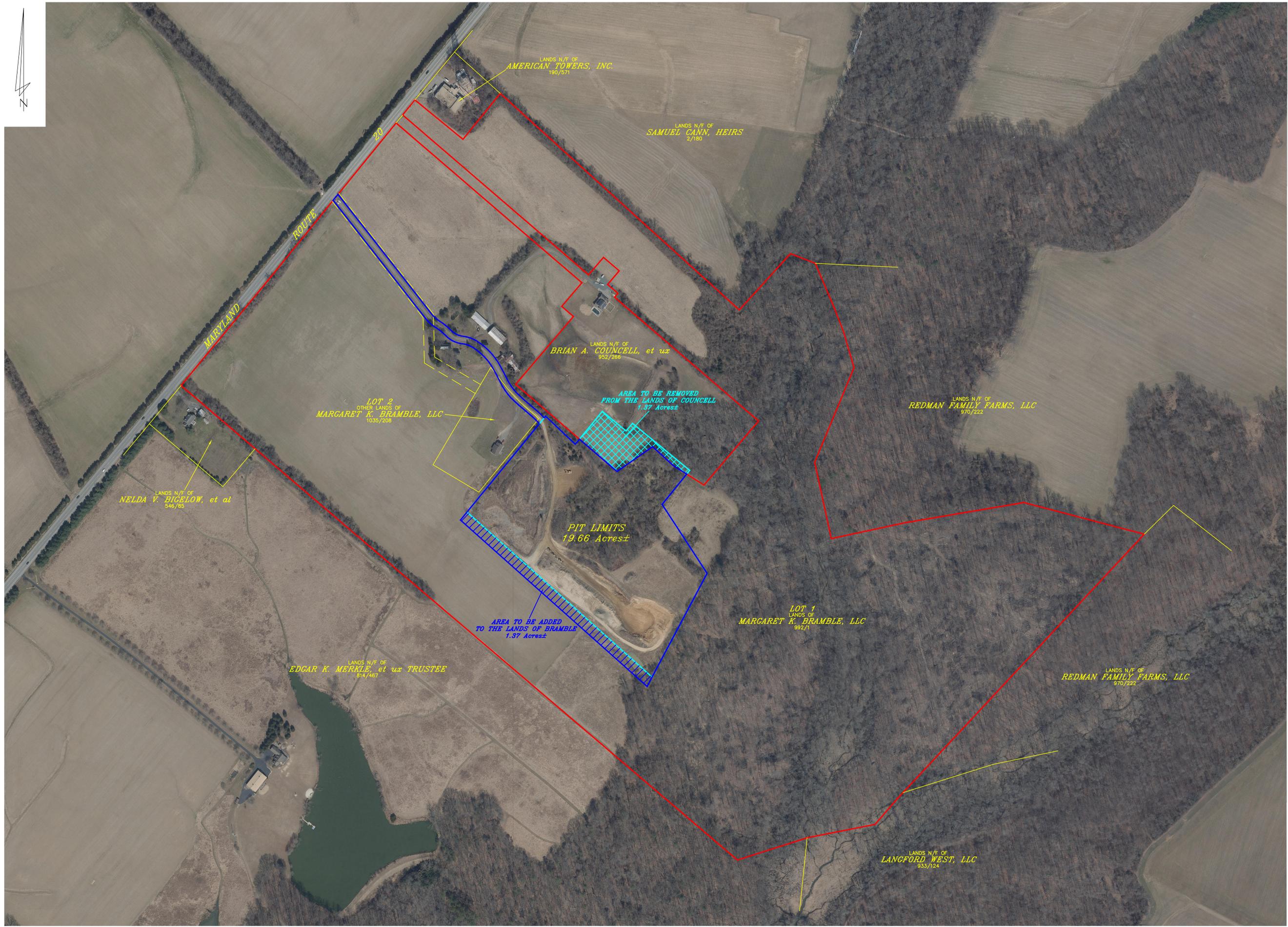
LOT LINE ADJUSTMENT  
OF THE LANDS OF  
**MARIE L. OREM et al.**  
SIXTH ELECTION DISTRICT, KENT COUNTY, MARYLAND  
TAX MAP 42, PARCEL 8

SCALE	1"=50'
DRAWN BY	RAN
DATE	6-20-18
JOB NO.	926
REVISIONS	

**EXTREME MEASURES**  
LAND SURVEYORS  
Chestertown, MD 21620 PHONE 410-778-0147  
www.extrememeasuresllc.com



cc:sls12018



DATE MAY 21 JOB No. FOLDER Ref. SHEET No. - CADD FILE - OREM	SCALE 1" = 200' DRAWN BY WJM DESIGNED BY	EXHIBIT ON THE LANDS OF <b>MARGARET K. BRAMBLE, LLC</b> NEAR THE VILLAGE OF FAIRLEE TAX MAP - 42, PARCEL - B, LOT - 1 SIXTH ELECTION DISTRICT, KENT COUNTY, MARYLAND	REVISION           	DATE           
<b>DAVIS, MOORE, SHEARON &amp; ASSOCIATES, LLC</b> ENGINEERING, DRAFTING/DESIGN, ENVIRONMENTAL SERVICES & SURVEYING P.O. BOX 80 CENTREVILLE, MARYLAND 21617 PHONE: 1-443-262-9149 FAX: 1-443-262-9148				
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