

Talbot County Marine Permit Information

A. General information

1. A Talbot County Zoning Permit is required for the following marine construction: piers, extensions to piers, additions to piers such as mooring piles, finger piers, floating piers and boat lifts; rip rap, shoreline revetment, bulkhead replacement, stone groins, boat ramps, shoreline stabilization/restoration¹, dredging, etc.

The cost of a Talbot County Zoning Permit is \$35.00. The required MDE (Maryland Department of the Environment) and Army Corps permits must be acquired before applying to the County, and copies of these permits and the related site plans and other drawings must be submitted along with the Zoning Permit application.

2. Repair and routine maintenance of piers, bulkheads, boathouses, a structure on a pier, revetment and other marine construction does not require an MDE/Army Corps Permit as long as the existing structure is functional and there is no increase in its original length, width, height, or channelward encroachment. (*Functional* is defined as performing at least 85% of the purpose the structure was originally designed to perform.) **However, a Talbot County Zoning Permit shall be required.**
3. All marine work proposed on **properties within a Talbot County Historic District Overlay** must obtain Section 106 approval from the Army Corps of Engineers which requires an archaeological survey by the Army Corps. Once the licenses are obtained from MDE and the Army Corps, **the owner must apply for review by the Talbot County Historic Preservation Commission.** A special application form for this, along with instructions and a submittal checklist, is available at the Department of Permits & Inspections. The County Zoning Permit cannot be issued until the TCHPC has reviewed and approved the project. Please ask for the **submittal schedule** for the current year in order to determine the month in which the TCHPC will hear your case.

B. Piers

1. Maximum length for all new piers in Talbot County is 150 ft. However, they may not extend more than one-half the distance from mean high water to the center line of the subject body of water (*or harbor line*) in any case. **Maximum width for all piers is 6 feet.** In the event a landward raised walkway, ramp, and/or stair is required to provide direct access to the pier, that **landward portion is limited to 5 feet in width.** Please see paragraph 4 below and consult §190-75 of the Talbot County Zoning Ordinance for further information.
2. Piers must observe landward side setbacks of the subject property where they touch land, and must observe waterside setbacks of 25 feet from the lateral lines for the entire length of the pier. **Lateral lines must be determined on a site plan drawn to a standard engineer's scale by a professional surveyor or marine contractor who is trained in determining lateral lines.** In some situations, where it may be necessary to build into the 25 foot waterside setback, as long as it does not cross the lateral line, it may be done with the written permission of the neighboring property owner on the affected side. A letter of no objection must accompany the County zoning permit application.

3. Replacement piers – Legal existing piers which have been damaged may be replaced **in kind**, even if they exceed the current maximum length and width. The required MDE and Army Corps permits or an official letter of exemption must be obtained from the State prior to applying for the County zoning permit.
4. Landward paths to piers - The Maryland Chesapeake Bay Critical Area Commission requires the following criteria be observed in regard to landward walkways or paths:
 - a. Trees or removal of natural vegetation as necessary to provide access to private piers is allowable provided it is the minimum necessary to accomplish access. However, mitigation (native species) at a 2:1 ratio shall be required whenever any vegetation is removed or destroyed within the 100 foot shoreline development buffer. (*See paragraph c. below.*)
 - b. Where possible, the access shall consist of a wood chip path not exceeding 3-4 feet in width, with a maximum width of 5 feet *only where necessary*. If a wood chip path is not practical, as in marshy areas, the raised walkway shall be a minimum of 3 feet above the marsh surface.
 - c. Buffer mitigation – All disturbance within the 100 foot shoreline buffer shall be mitigated at a 2:1 ratio. To the extent possible, this mitigation shall be conducted using native vegetative species and be located within the 100 foot buffer area. The applicant shall submit to the County a Forest Preservation Plan Application along with a planting plan. Please contact Elisa Deflaux, Environmental Planner, Department of Planning & Zoning (410-770-8030) for the necessary forms and additional information.

For projects not covered in this bulletin and for further clarification of the above information, please consult §190-75 of the Talbot County Zoning Ordinance.

1. *For detailed information on requirements for shoreline stabilization/restoration projects, please consult §190-144 of the Talbot County Zoning Ordinance.*