

COUNTY COUNCIL

OF

TALBOT COUNTY

2006 Legislative Session, Legislative Day No. : December 12, 2006

Resolution No.: 135 * AS AMENDED*

Introduced by: Mr. Duncan, Mr. Harrison

A RESOLUTION TO AMEND THE TALBOT COUNTY COMPREHENSIVE WATER & SEWER PLAN, AS ADOPTED BY TALBOT COUNTY RESOLUTION 100, TO EXTEND THE SERVICE AREA OF THE EASTON WATER AND WASTEWATER SYSTEMS TO CERTAIN AREAS THAT INCLUDE TAX MAP 34, PARCELS 51, 92, 103, 107, 200, 205, 210, 202, AND 208 AND TAX MAP 35, PARCEL 7, 15, 18, 39, 50, 57, 72, 82, 88, 91 AND 100 AS W-1 AND S-1, IN THE FIRST ELECTION DISTRICT, TALBOT COUNTY, MARYLAND; PURSUANT TO THE POWER AND AUTHORITY CONTAINED IN THE ENVIRONMENTAL ARTICLE, TITLE 9, SUBTITLE 5, OF THE ANNOTATED CODE OF MARYLAND (Clifton Industrial Park)

By the Council: December 12, 2006

Introduced, read the first time, and ordered posted, with Public Hearing scheduled on Tuesday, January 9, 2007 at 2:00 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland.

By order: Susan W. Moran
Secretary



A RESOLUTION TO AMEND THE TALBOT COUNTY COMPREHENSIVE WATER & SEWER PLAN, AS ADOPTED BY TALBOT COUNTY RESOLUTION 100, TO EXTEND THE SERVICE AREA OF THE EASTON WATER AND WASTEWATER SYSTEMS TO CERTAIN AREAS THAT INCLUDE TAX MAP 34, PARCELS 51, 92, 103, 107, 200, 205, 210, 202, AND 208 AND TAX MAP 35, PARCEL 7, 15, 18, 39, 50, 57, 72, 82, 88, 91, AND 100 AS W-1 AND S-1, IN THE FIRST ELECTION DISTRICT, TALBOT COUNTY, MARYLAND; PURSUANT TO THE POWER AND AUTHORITY CONTAINED IN THE ENVIRONMENTAL ARTICLE, TITLE 9, SUBTITLE 5, OF THE ANNOTATED CODE OF MARYLAND (Clifton Industrial Park)

WHEREAS, the County Council of Talbot County, State of Maryland, by Resolution Number 100 has adopted the October 2002 Report of the Review of the Comprehensive Water and Sewerage Plan (the "Plan"); and

WHEREAS, the owners, the Town of Easton and many of the property owners, Parcels 51, 92, 103, 107, 200, 205, 210, 202, and 208 on Tax Map 34 and Parcels 7, 15, 18, 39, 50, 57, 72, 82, 88, 91, and 100 on Tax Map 35, in the First Election District, Talbot County, Maryland, have requested to extend the service area of the Easton Water and Wastewater Systems; and

WHEREAS, the documentation to reclassify the above referenced parcels was prepared by the County and was reviewed by the Town of Easton; and

WHEREAS, the above referenced properties consist of industrial operations with a projected water demand of 10,000 gallons per day and a project wastewater flow of 8,000 gallons per day; and

WHEREAS, the above referenced properties are presently served by on-site sewage disposal systems which contribute to non-point source pollution especially for Total Nitrogen, and 50% of the projected non-point source pollution load shall be added to the waste load allocation of the Easton Wastewater Treatment Plant in the amount of 365 pounds per year of Total Nitrogen (TN). (Assumed a concentration of 30 mg/l of TN being discharged from the tile field to the ground water with ground water having a direct connection to surface water); and

WHEREAS, the Town of Easton, in the First Election District, Talbot County, Maryland, has processed this request to extend the service area and program the water and sewer service designations of the Easton Water and Wastewater Systems; and

WHEREAS, the Town of Easton has secured a Community Development Block Grant from the State of Maryland to assist in the costs to extend water and sewer service from Easton Utilities, road improvements, as well as other necessary improvements to be annexed into the Town; and

WHEREAS, Flow Allocation for sewer service will be made in accordance with the Easton Utilities' service tariff; and

WHEREAS, after January 1, 2007, the new wastewater treatment facility will be operational; and

WHEREAS, the Town of Easton and the property owners are working together to have their properties annexed within the incorporated limits of the Town; and

WHEREAS, the County will verify that these facilities are within the boundaries of the municipal corporation of the Town of Easton after the properties have been annexed, thus permitting the Easton Water and Wastewater system service improvements to be extended to the areas specified in this Resolution; and

WHEREAS, the properties impacted by this Resolution who have chosen not to be included in the boundaries of the municipal corporation of the Town of Easton shall be required to connect to the Easton Water and Wastewater system at a later date to address their failing on-site sewage disposal systems, following any and all annexation requirements imposed by the Town of Easton; and

WHEREAS, the Talbot County Council has considered the request, and hereby approves the same, subject to the terms of this Resolution and compliant with applicable design and technical requirements, rules, and regulations of all local, state, and federal authorities;

NOW, THEREFORE, be it resolved by the County Council of Talbot County, Maryland as follows:

Section 1. The County Council is acting pursuant to Title 9, Subtitle 5, of the Environmental Article of the Annotated Code of Maryland (Michie Company).

Section 2. The Talbot County Comprehensive Water and Sewerage Plan shall be amended to show Parcels 51, 92, 103, 107, 200, 205, 210, 202, and 208 on Tax Map 34 and Parcels 7, 15, 18, 39, 50, 57, 72, 82, 88, 91, and 100 on Tax Map 35 having the water and sewer classification of W-1, S-1, immediate priority status.

Section 3. The proposed subdivision shall follow the Flow Allocation Program for sewer service in accordance with the Easton Utilities' service tariffs for both water and sewer.

Section 4. The Amendment, to include immediate priority for water and sewer utility extensions, shall be in accordance with the attached additions and changes, and shall be permanently entered into the currently effective Comprehensive Water and Sewerage Plan as part of Chapters 1, 2, and 3.

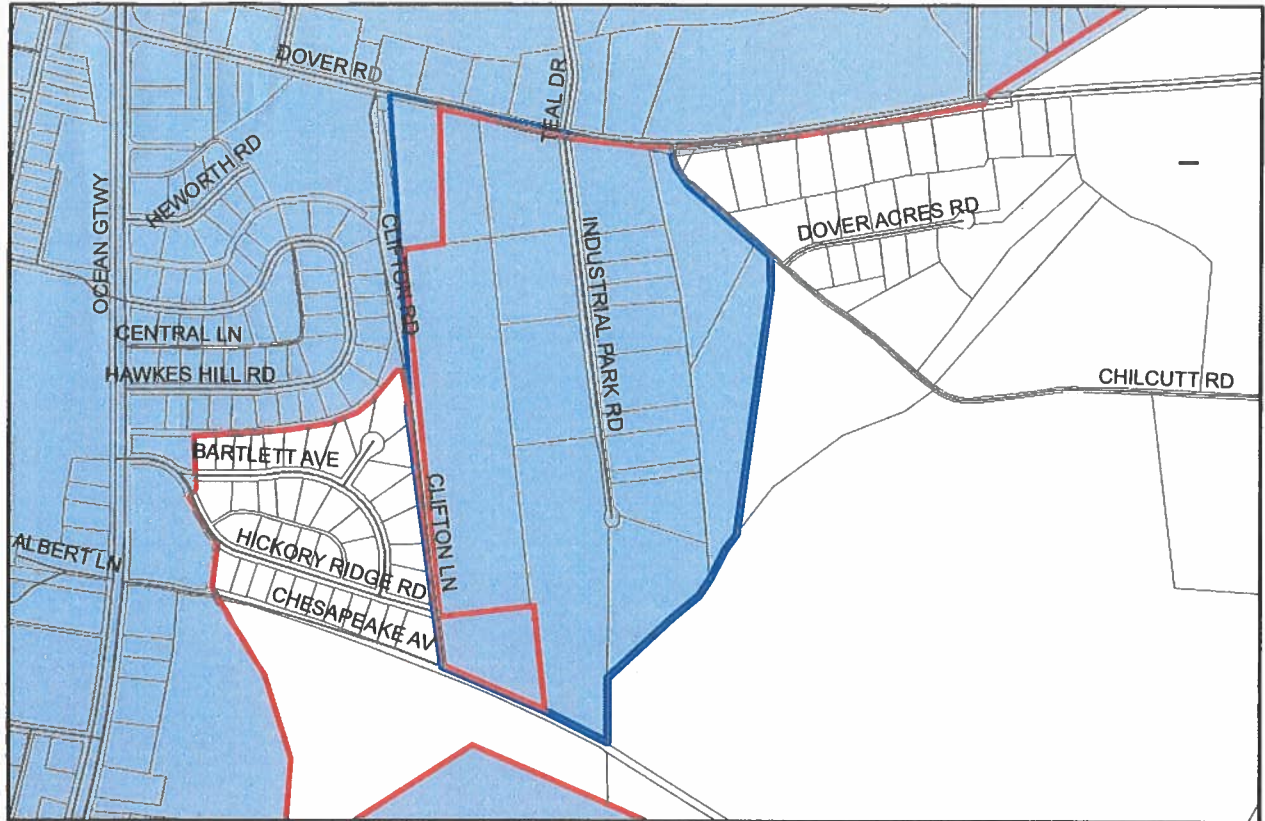
Section 5. Inclusion of the proposed utility extension, planned for immediate priority in the Talbot County Comprehensive Water and Sewerage Plan, shall record capacity demand increases, as identified herein, on the serving wastewater treatment facilities.

Section 6. Adoption of this amendment, by the County Council of Talbot County, shall authorize the construction of the projects in accordance with and subject to the approval of the Municipal, County, State, and/or Federal agencies, as may be required, effective from the date of adoption.

Section 7. Adoption of this amendment is contingent upon annexation of the subject properties into the Town of Easton and also extension of infrastructure to provide water and sewer to the subject properties by the Town of Easton, with no financial contribution from the County.

Be It Further Resolved that this Resolution shall take effect immediately upon its date of passage.

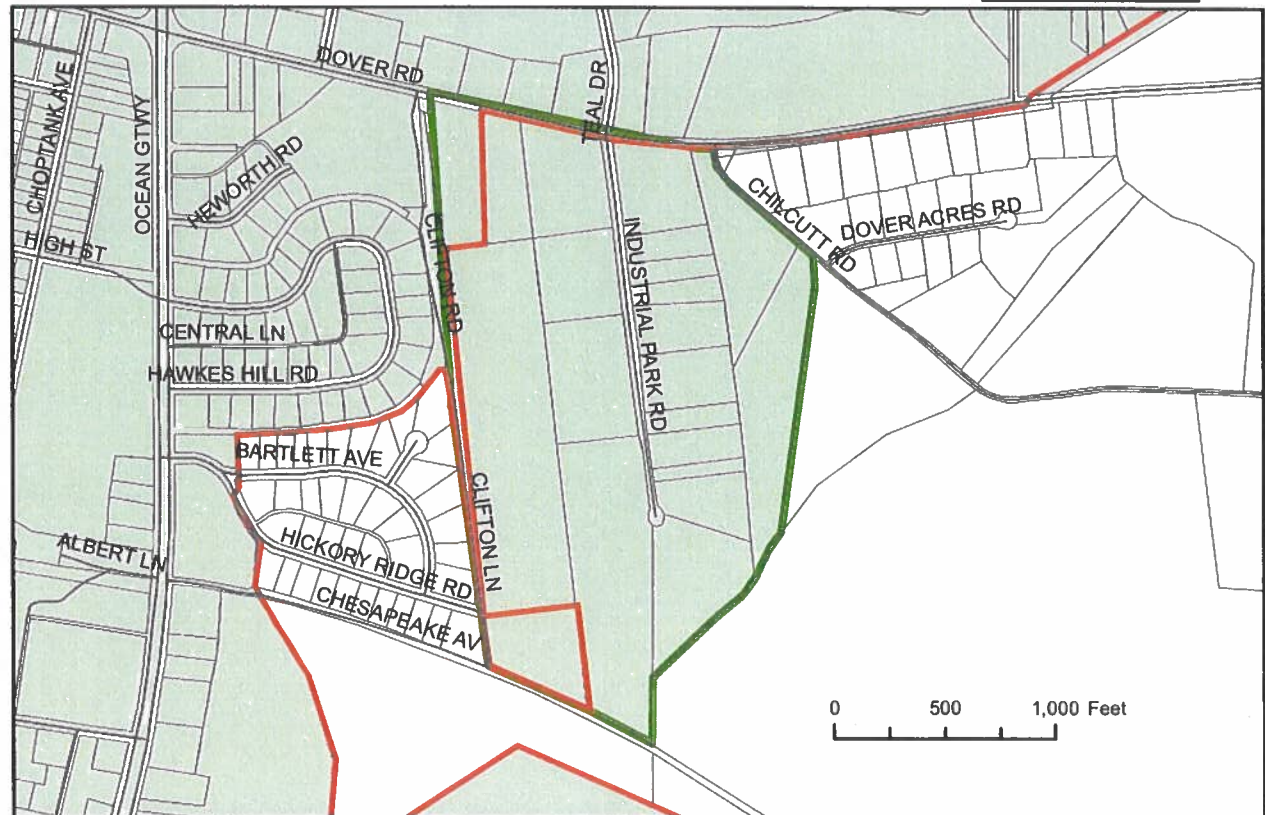
Clifton Industrial Park: Proposed W1 Water Service Area



Legend

Town Boundary

Clifton Industrial Park: Proposed S1 Sewer Service Area



PUBLIC HEARING

Resolution No. 135

Having been posted and Notice, Time and Place of Hearing, and Title of Resolution No. 135 having been published, a public hearing was held on Tuesday, January 9, 2007 in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland.

BY THE COUNCIL

Read the third time:

Enacted: **January 9, 2007 * AS AMENDED***

By Order:

Susan W. Moran
Secretary

Bartlett – Abstain

Carroll – Aye

Duncan – Aye

Foster – Aye

Harrison – Aye

