

COUNTY COUNCIL

OF

TALBOT COUNTY

2007 Legislative Session, Legislative Day No. : March 27, 2007

Resolution No.: 136 *AS AMENDED*

Introduced by: Mr. Carroll, Mr. Duncan, Mr. Harrison

A RESOLUTION TO AMEND THE TALBOT COUNTY COMPREHENSIVE WATER & SEWERAGE PLAN, AS ADOPTED BY TALBOT COUNTY RESOLUTION NO. 100, TO EXTEND THE SERVICE AREA OF THE TOWN OF ST. MICHAELS' WATER SYSTEM TO CERTAIN AREAS THAT INCLUDE MAP 32, PARCEL 7, AS W-1, AND TO EXTEND THE SERVICE AREA OF THE REGION II (ST. MICHAELS) WASTEWATER TREATMENT SYSTEM TO CERTAIN AREAS THAT INCLUDE TAX MAP 32, PARCELS 7, 33 AND 76, AND TAX MAP 32, PARCEL 109, LOTS 1 THROUGH 12, AND LOTS 14 THROUGH 22, AS S-1, IN THE SECOND 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 (Hatton's Garden)

By the Council: March 27, 2007

Introduced, read the first time, and ordered posted, with Public Hearing scheduled on Tuesday, April 17, 2007 at 2:00 p.m. in the Bradley Meeting Room, South Wing, Talbot Courthouse, 11 North Washington Street, Easton, Maryland 21601.

By order:

Susan W. Moran

Secretary



A RESOLUTION TO AMEND THE TALBOT COUNTY COMPREHENSIVE WATER & SEWERAGE PLAN, AS ADOPTED BY TALBOT COUNTY RESOLUTION NO. 100, TO EXTEND THE SERVICE AREA OF THE TOWN OF ST. MICHAELS' WATER SYSTEM TO CERTAIN AREAS THAT INCLUDE MAP 32, PARCEL 7, AS W-1, AND TO EXTEND THE SERVICE AREA OF THE REGION II (ST. MICHAELS) WASTEWATER TREATMENT SYSTEM TO CERTAIN AREAS THAT INCLUDE TAX MAP 32, PARCELS 7, 33 AND 76, AND TAX MAP 32, PARCEL 109, LOTS 1 THROUGH 12, AND LOTS 14 THROUGH 22, AS S-1, IN THE SECOND 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 (Hatton's Garden)

WHEREAS, the County Council of Talbot County, State of Maryland, by Resolution No. 100, has adopted the October 2002 Report of the Review of the Comprehensive Water and Sewerage Plan (the "Plan"); and

WHEREAS, the contract purchaser of Parcel 7 on Tax Map 32, in the Second Election District, Talbot County, Maryland, has requested to extend the service area of the St. Michaels' Water System and the Region II (St. Michaels) Wastewater Treatment System; and

WHEREAS, the Talbot County Department of Public Works has included Parcel 33 and Parcel 109, Lots 1 through 12 and Lots 14 through 22 on Tax Map 32, in the Second Election District, Talbot County, Maryland, within the request to extend sewer service of the Region II (St. Michaels) Wastewater Treatment System; and

WHEREAS, the documentation to reclassify Parcel 7 on Tax Map 32 was prepared by the agent for the contract purchaser, and was reviewed by the Talbot County Department of Public Works; and

WHEREAS, Parcel 7 on Tax Map 32 has an estimated water demand on the Town of St. Michaels' Water System of 2,960 gallons per day; and

WHEREAS, the above-referenced properties consist of residential structures with a projected wastewater flow of 7,030 gallons per day to be served by the Region II (St. Michaels) Wastewater Treatment System; and

WHEREAS, Parcels 33 and 76, and Parcel 109, Lots 1 through 12 and Lots 14 through 22 on Tax Map 32, are presently served by on-site sewage disposal systems which contribute to non-point source pollution especially for Total Nitrogen with the estimated loading being 503.7 pounds of Total Nitrogen (TN) per year; and

WHEREAS, twenty-five percent (25%) of the projected non-point source pollution load shall be added to the waste load allocation of the Region II (St. Michaels) Wastewater Treatment Plant in the amount of 125 pounds per year of Total Nitrogen. (A concentration of 36 mg/l of TN being discharged from each tile field to the groundwater with groundwater having a direct connection to surface water was assumed); and

WHEREAS, the Talbot County Department of Public Works has processed the requests to extend the service areas and program the water and sewer service designations of the St. Michaels' Water System and the Region II (St. Michaels) Wastewater Treatment System; and

WHEREAS, Flow allocation for sewer service will be made in accordance with the current sewer service policy of the Region II (St. Michaels) Wastewater Treatment System; and

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

WHEREAS, the Town of St. Michaels and the contract purchaser of Parcel 7 on Tax Map 32 are in the process, or have completed the annexation of, the property; and

WHEREAS, the County will verify that these facilities are within the boundaries of the municipal corporation of the Town of St. Michaels after Parcel 7 on Tax Map 32 has been annexed, thus permitting the St. Michaels' Water System service improvements to be extended to Parcel 7 on Tax Map 32; and

WHEREAS, the County will verify that these facilities are within the boundaries of the Region II (St. Michaels) Wastewater Treatment System to allow improvements to be extended to the areas specified in this Resolution; and

WHEREAS, Parcel 33 and Parcel 109, Lots 1 through 12 and Lots 14 through 22 on Tax Map 32, shall not be required to connect to the Region II Wastewater System until property owners of said lots and parcels make such request for sewer service or their on-site sewage disposal system fails; and

WHEREAS, on February 21, 2007, the property owner of Parcel 76 on Tax Map 32 has requested sewer service to connect to the Region II Sewer Service Area; and

WHEREAS, the Talbot County Council has considered the request, and hereby approves the same, subject to the terms of this Resolution and compliance 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 Environment Article of the Annotated Code of Maryland (Michie Company).

Section 2. The Talbot County Comprehensive Water and Sewerage Plan shall be amended to show Parcel 7 on Tax Map 32 as having the water classification of W-1, immediate priority status.

Section 3. The Talbot County Comprehensive Water and Sewerage Plan shall be amended to show Parcels 7, 33 and 76 on Tax Map 32, and Parcel 109, Lots 1 through 12 and Lots 14 through 22 on Tax Map 32, as having the sewer classification of S-1, immediate priority status.

Section 4. The proposed subdivision shall follow the Flow Allocation Program for sewer service in accordance with the current Region II Sewer Service Policy.

Section 5. The peak flow sewer allocation, based on 185 gallons per day per equivalent dwelling unit, shall be 3,885 gallons per day for the 21 lots within the Trice Fields Community (Tax Map 32, Parcel 109, Lots 1 through 12 and Lots 14 through 22), with sewer line being extended into this area being restricted to the lots of record as shown in the 2007 Tax Assessment Records.

Section 6. The peak flow sewer allocation, based on 185 gallons per day per equivalent dwelling unit, shall be 185 gallons per day for the individual lot referred to as Parcel 33 on Tax Map 32, with sewer line being extended into this area being restricted to the lots of record as shown in the 2007 Tax Assessment Records.

Section 7. The peak flow sewer allocation, based on 185 gallons per day per equivalent dwelling unit, shall be 185 gallons per day for the individual lot referred to as Parcel 76 on Tax Map 32, with sewer line being extended into this area being restricted to the lots of record as shown in the 2007 Tax Assessment Records.

Section 8. The peak flow sewer allocation, based on 185 gallons per day per equivalent dwelling unit, shall be 2,960 gallons per day for the proposed 16 residential lots on Parcel 7 on Tax Map 32, and the sewer allocation will be restricted to serve only 16 residential lots.

Section 9. The contract purchaser shall be responsible for the design of the low pressure sewer system into the Community of Trice Fields.

Section 10. 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.

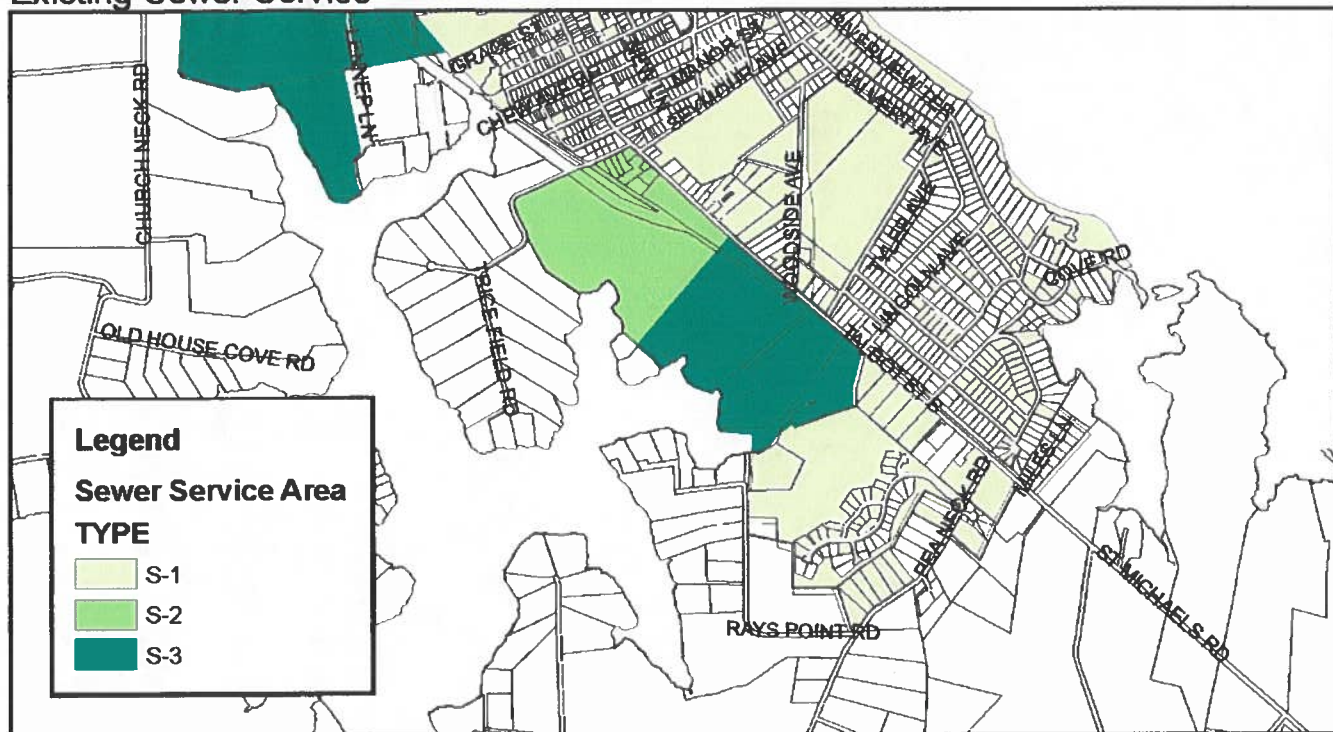
Section 11. Inclusion of the proposed utility extension, planned for immediate priority in the Talbot County Comprehensive Water and Sewerage Plan, shall record capacity demand increases, as identified herein, on the serving wastewater treatment facilities.

Section 12. 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.

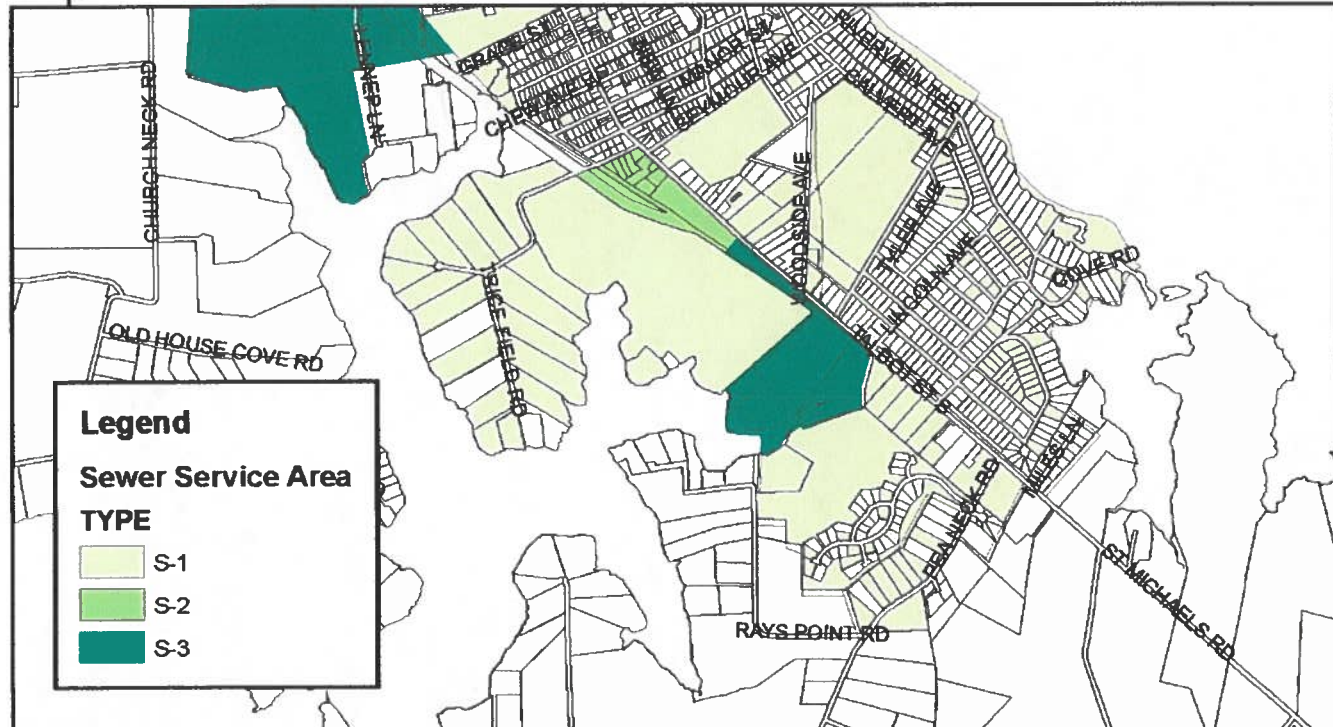
Be It Further Resolved that this Resolution shall take effect immediately upon its date of passage.

Tax Map 32, Parcels 7, 33 & 76, and Parcel 109 Lots 1-12,14-22

Existing Sewer Service



Proposed Sewer Service



PUBLIC HEARING

Having been posted and Notice, Time and Place of Hearing, and Title of Resolution No. 136 having been published, a public hearing was held on Tuesday, April 17, 2007 at 2:00 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

BY THE COUNCIL

Read the third time:

Enacted: April 24, 2007 *AS AMENDED*

By Order:

Susan W. Moran
Secretary

Duncan	- Aye
Bartlett	- Abstain
Foster	- Aye
Harrison	- Absent
Carroll	- Aye

