

COUNTY COUNCIL

OF

TALBOT COUNTY

2023 Legislative Session, Legislative Day No.: March 14, 2023

Resolution No.: 339

Introduced by: Mr. Callahan, Ms. Haythe, Mr. Leshner, Ms. Mielke, Mr. Stepp

A RESOLUTION TO AMEND THE TALBOT COUNTY COMPREHENSIVE WATER AND SEWER PLAN TO RECLASSIFY AND REMAP CERTAIN REAL PROPERTIES IN AND AROUND THE VILLAGES OF BAR NECK AND FAIRBANK FROM UNPROGRAMMED TO "S-1" IMMEDIATE PRIORITY STATUS FOR SEWER SERVICE FROM THE REGION V (TILGHMAN) WASTEWATER SYSTEM

By the Council: March 14, 2023

Introduced, read the first time, and ordered posted, with Public Hearing scheduled on Tuesday, April 11, 2023 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

By order: *Susan W. Moran*
Susan W. Moran, Secretary

A RESOLUTION TO AMEND THE TALBOT COUNTY COMPREHENSIVE WATER AND SEWER PLAN TO RECLASSIFY AND REMAP CERTAIN REAL PROPERTIES IN AND AROUND THE VILLAGES OF BAR NECK AND FAIRBANK FROM UNPROGRAMMED TO “S-1” IMMEDIATE PRIORITY STATUS FOR SEWER SERVICE FROM THE REGION V (TILGHMAN) WASTEWATER SYSTEM

WHEREAS, on October 22, 2002, the County Council of Talbot County (the “County Council”) adopted Resolution No. 100, which updated the Talbot County Comprehensive Water and Sewer Plan (the “CWSP”) through the 2002 Report of the Review and which identified the Region II – St. Michaels Sewer Service area; and

WHEREAS, the Maryland Department of the Environment (“MDE”) subsequently approved Resolution No. 100 on February 20, 2003; and

WHEREAS, the 1992 Update of the CWSP noted on page 25 in Chapter Two, “Many of the existing village centers have problems with failing septic systems because of the typically small size village center lots, poor soil conditions, and a high groundwater table;” and

WHEREAS, Table 21, Problem Areas – Individual and Community, Talbot County, Maryland in Chapter Four of the 1992 Update of the CWSP listed the village of Fairbank as a Priority #6 for sewer service after Royal Oak/Newcomb, Unionville (Priority #1 – corrected in 1993), Tunis Mills and Copperville (Priority #2 – corrected in 1993), Wittman (Priority #3 – under review), Black Dog Alley/North Easton/Cordova Road/Clearview (Priority #4 – needs sewer from the Easton Wastewater System) and Neavitt (Priority #5 – design underway as part of Resolution 250); and

WHEREAS, Table 21 of Chapter Four of the 1992 Update of the CWSP noted the problem description for Fairbank as “Failing Septic Systems, High Groundwater Table, Small Lots Poorly Drained Soils;” and

WHEREAS, the Groundwater Penetration Report included in the 1992 Update of the CWSP identified the western portion of Talbot County as “Management Area B” consisting of “large areas of poorly drained and slowly permeable soils, such as Othello series, predominate in Area “B”, and indicate the most likely option to be employed, as it has in the past, will be direct groundwater penetration” of septic system drain fields; and

WHEREAS, the geology as presented in the Groundwater Penetration Report for the villages of Bar Neck and Fairbank and the area around these villages is “underlain by the interstratified silts, sands, and clays consists of the Kent Island Formation (Wisconsin or Upper Sangamon)” and Tidal Marsh Deposits (Holocene); and

WHEREAS, the issue of poorly drained soils with high groundwater impacts both the villages of Bar Neck and Fairbank along with the lots around these villages, thus presenting direct penetration of drain fields into the shallow aquifers; and

WHEREAS, the Region V (Tilghman) Wastewater Treatment Plant (the “Region V WWTP”) was constructed in 1986 and consists of a two-cell, stabilization lagoon system that lacks biological nutrient removal (“BNR”) and enhanced nutrient removal (“ENR”) technologies; and

WHEREAS, in 2022, the Region V WWTP discharged an annual average concentration of 17.55 mg/l of total nitrogen (“TN”), 4.17 mg/l of total phosphorus (“TP”), 2,909 pounds of TN, and 572 pounds of TP; and

WHEREAS, the annual limit for TN is 4,406 pounds and the annual limit for TP is 734 pounds; and

WHEREAS, the Talbot County Sanitary District received a planning grant from MDE to prepare a Preliminary Engineering Report (“PER”) to evaluate the construction of a new ENR wastewater treatment plant to be located at the current Region V WWTP or the pumping of wastewater flows to the Region II Wastewater System that was upgraded with ENR technologies in 2008; and

WHEREAS, the Region V WWTP has a wastewater capacity of 150,000 gallons per day (“GPD”); and

WHEREAS, the Region V sewer collection system was installed in the 1980s and consists mostly of gravity sewer pipes that is susceptible to inflow and infiltration (“I&I”) due to high groundwater and low-lying areas; and

WHEREAS, the Region V WWTP Daily Average Flows in GPD for the past five (5) years are presented in Table 1 below as follows:

Table 1 – Region V WWTP Daily Average Flows for each Calendar Year

YEAR	2018	2019	2020	2021	2022
Current Capacity	150,000 GPD	150,000 GPD	150,000 GPD	150,000 GPD	150,000 GPD
Report Daily Average Flow	119,992 GPD	85,510 GPD	117,000 GPD	85,675 GPD	82,513 GPD
Remaining Capacity	30,008 GPD	64,490 GPD	33,000 GPD	64,325 GPD	67,481 GPD

; and

WHEREAS, the three (3) year average for the daily average flows from 2022, 2021, and 2020 was 95,063 GPD; and

WHEREAS, the remaining capacity of the Region V WWTP is 54,937 GPD; and

WHEREAS, the current capacity allocated for infill lots is 7,000 GPD; and

WHEREAS, the Region V Wastewater System serves 674 equivalent dwelling units (“EDUs”) and, based on the three (3) year average, each EDU discharges 141 GPD of wastewater; and

WHEREAS, the total number of lots to be served with sewer within and around the villages of Bar Neck and Fairbank is 127, consisting of improved and unimproved residential lots, as more identified and described in Exhibits A and B attached hereto and incorporated by reference as if fully set forth herein (collectively, the “Properties,” individually, a “Property”); and

WHEREAS, the proposed sewer to the Properties shall consist of a low-pressure sewer system where individual pumps installed in either pump chambers or septic tanks convey the wastewater to the Region V WWTP; and

WHEREAS, the Talbot County Sanitary District received a planning grant from the United States Department of Agriculture – Rural Development (“Rural Development”) to prepare a PER to explore the feasibility of extending sewer to the Properties, which was submitted to Rural Development for final review, with a review meeting being held on February 13, 2023; and

WHEREAS, on April 26, 2022, the County Council adopted Resolution No. 318, an amendment to the 2002 CWSP, adding a new capital project to extend sewer to the Properties at an estimated cost of \$2.19 million; and

WHEREAS, on July 12, 2022, the County Council adopted capital enabling legislation (Bill No. 1502), which authorized the expenditure of \$2.19 million to extend sewer to the Properties, with the proposed debt service to be paid by the owners thereof; and

WHEREAS, on June 27, 2022, MDE approved Resolution No. 318, noting that the County needed to evaluate and manage the capacity of the Region V WWTP to allow for the sewer extension to the original 146 lots, since reduced to 127 lots (i.e., the Properties), that the Talbot County Health Department should provide a letter of support to extend sewer to the lots that are in the Priority Funding Areas (“PFAs”), and that the County will need to request a PFA Exception from the Smart Growth Committee for those lots that are in non-PFAs, as more fully set forth in Exhibit C, attached hereto and incorporated by reference as if fully set forth herein; and

WHEREAS, the project flow rate from the Properties will range from 125 GPD per lot to 250 GPD per lot for a total flow rate between 15,875 GPD to 31,750 GPD; and

WHEREAS, there is sufficient capacity in the Region V WWTP to serve the Properties at the estimated highest flow rate of 250 GPD/lot with an estimated flow of 133,813 GPD being treated at the WWTP if all of the Properties are connected along with the infill lots; and

WHEREAS, the County Engineer has evaluated and confirmed the feasibility of extending public sewer to the properties and requested that the Talbot County Office of Law prepare this amendment to the CWSP to facilitate extension of public sewer to the Properties; and,

WHEREAS, in accordance with the requirements of Md. Code Ann., Envir. § 9-506(a)(1)(i), the proposed CWSP amendment set forth herein has been submitted to the Talbot County Planning Commission (the “Planning Commission”), as well as the Talbot County Public Works Advisory Board, for review for consistency with planning programs for the area; and

WHEREAS, on _____, 2023, the Planning Commission certified that the proposed CWSP amendment set forth herein is consistent with the Comprehensive Plan as required by Md. Code Ann., Envir. § 9-506(a)(1)(ii).

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF TALBOT COUNTY, MARYLAND, that the Talbot County Comprehensive Water and Sewer Plan shall be and is hereby amended as follows:

SECTION ONE: The above recitals are hereby incorporated as if fully set forth herein.

SECTION TWO: Subject to the terms and conditions herein, the CWSP is amended to reclassify and remap the Properties as S-1, immediate priority status for sewer service from the Region V WWTP, as shown on Exhibit A.

SECTION THREE: The proposed use for the Properties shall be for a single-family residence with an allocation of one (1) EDU of sewer capacity for each Property. The peak flow sewer allocation to each Property shall be limited to 250 gallons per day per EDU.

SECTION FOUR: Connection to the force main shall not be used to accommodate further subdivision of the Properties as existing when this Resolution is adopted without further amendment of the CWSP duly approved by the County Council.

SECTION FIVE: The owners of the Properties as identified in Exhibit B (collectively, the "Owners," individually, an "Owner") shall be jointly and severally responsible for contracting and paying for all required permits, easements, construction work, and all benefit and connection charges in accordance with a Public Works Agreement (a "PWA") approved by the County. The PWA shall run with and bind the subject Owner's Property and shall be filed among the Land Records of Talbot County, Maryland within sixty (60) days from the date of approval of the building permit. The PWA may provide for recoupment of a portion of the construction costs from other lots served by the force main that may be authorized to connect to it in the future.

SECTION SIX: Each Owner shall be responsible for paying a connection fee as defined for the Region V Wastewater System before commencing construction to connect their Property to the force main. Such connections shall be subject to periodic charges, tariffs, and policies as may be adopted from time to time.

SECTION SEVEN: Each Owner shall be solely responsible for all costs incurred for design, engineering, construction, inspection, and testing that may be reasonably required, as determined by the County Engineer, to connect their Property to the force main, including, without limitation, any material, pumps, saddles, or other equipment, and for all costs incurred for ongoing maintenance and repair.

SECTION EIGHT: No sewer service shall be available to any area beyond the existing Properties to be served. No other properties, lots, or parcels, including any future reconfiguration or recombination of the Properties, shall be entitled to service or capacity, unless and until the CWSP is amended to permit such service.

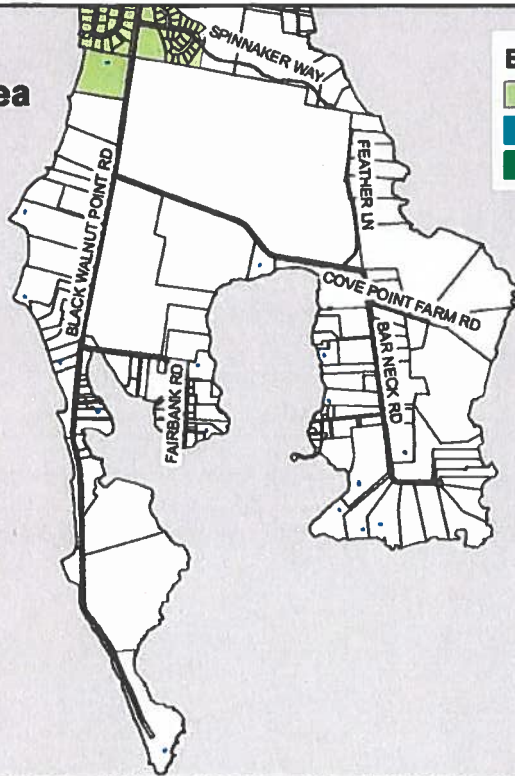
SECTION NINE: The design shall be consistent with the design standards for similar projects in the Region II (St. Michaels) and Region V (Tilghman) Sewer Service Areas, shall be subject to review and approval by the County Engineer, and shall include design features, components, and materials as the County Engineer or his designee may reasonably require, including the ability to isolate the connection.

SECTION TEN: Each Owner shall be solely responsible for all remediation, mitigation, damages, charges, fines, penalties, or other costs imposed, levied, or assessed at any time by any federal, State, or local enforcement agency for any environmental damage or violation of law caused by or resulting from that Owner's connection to the force main. The Owners shall indemnify and hold the County harmless from and against all such claims, actions, suits, damages, losses, or expenses, of any kind, nature, or description whatsoever.

SECTION ELEVEN: This Resolution shall not modify, excuse, or supersede any other requirements for ongoing compliance with all applicable federal, State, and local statutes, ordinances, rules, or regulations, including without limitation all conditions and requirements of all permits and approvals necessary for connection to the force main.

SECTION TWELVE: This Resolution shall take effect immediately upon the date of its adoption.

Fairbank and Bar Neck Existing Sewer Service Area



Existing Designations

- S-1
- S-2
- S-3

Fairbank and Bar Neck Proposed Sewer Service Area



Proposed Designations

- S-1
- S-2
- S-3

TALBOT COUNTY
BAR NECK AND FAIRBANK SEWER EXTENSION
February 24, 2023

EXHIBIT B

TABLE NUMBER	ACCTID	MAP	PARCEL	LOT	LOT TYPE	ACRES	STRUCTURE		ADDRESS	CITY
							YEAR BUILT	SQUARE FOOT		
1	2105189683	0051	0004		Residential	1.04	1900	1600	42 BAR NECK DR	TILGHMAN
2	2105191475	0051	0097	3	Residential	5.07	1993	2424	4758 BAR NECK ROAD	TILGHMAN
3	2105191467	0051	0097	2	Residential	6.34	2007	4224	4762 BAR NECK ROAD	TILGHMAN
4	2105191440	0051	0097	1	Residential	5.02	1998	2801	4768 BAR NECK ROAD	TILGHMAN
5	2105189616	0051	0007		Residential	5.53	1920	2886	4774 BAR NECK ROAD	TILGHMAN
6	2105190592	0051	0008		Residential	9.85	1983	2094	4780 BAR NECK ROAD	TILGHMAN
7	2105177391	0051	0076		Residential	4.50	1973	2680	4797 BAR NECK ROAD	TILGHMAN
8	2105182093	0051	0075		Residential	1.93	1920	1630	4855 BAR NECK ROAD	TILGHMAN
9	2105178088	0051	0073		Residential	0.42	1900	1070	4869 BAR NECK ROAD	TILGHMAN
10	2105178096	0051	0061		Residential	0.42	2009	2190	4871 BAR NECK ROAD	TILGHMAN
11	2105186374	0051	0056		Residential	4.00	1947	2762	4876 BAR NECK ROAD	TILGHMAN
12	2105182085	0051	0055		Residential	1.00	1969	2374	4906 BAR NECK ROAD	TILGHMAN
13	2105177995	0051	0054		Residential	3.13	1900	1550	4912 BAR NECK ROAD	TILGHMAN
14	2105182077	0051	0052		Residential	2.00	1900	1218	4918 BAR NECK ROAD	TILGHMAN
15	2105194202	0051	0031	2	Residential	2.00	1999	2440	4957 BAR NECK ROAD	TILGHMAN
16	2105176816	0051	0066		Residential	2.00	1975	2072	4962 BAR NECK ROAD	TILGHMAN
17	2105194210	0051	0031	3	Residential	2.00	2001	1680	4963 BAR NECK ROAD	TILGHMAN
18	2105190630	0051	0096	2	Residential	6.19	2008	2703	4984 BAR NECK ROAD	TILGHMAN
19	2105194296	0051	0031	6	Residential	2.00	1995	1620	5015 BAR NECK ROAD	TILGHMAN
20	2105194342	0051	0031	8	Residential	2.00	2019	3060		TILGHMAN
21	2105176468	0044	0018		Residential	2.72	2016	3848	5090 BAR NECK ROAD	TILGHMAN
22	2105177707	0051	0067		Residential	0.27	1952	916	21550 BAR NECK LANE	TILGHMAN
23	2105186447	0051	0090		Residential	0.44	1900	1602	21554 BAR NECK LANE	TILGHMAN
24	2105185076	0051	0064		Residential	0.59	1910	2228	21577 BAR NECK LANE	TILGHMAN
25	2105185068	0051	0087		Residential	0.17	1900	672	21558 BAR NECK COVE ROAD	TILGHMAN
26	2105178118	0051	0088		Residential	0.40	2001	1814	21562 BAR NECK COVE ROAD	TILGHMAN
27	2105177383	0051	0001		Residential	0.46	1900	1348	21570 BAR NECK COVE ROAD	TILGHMAN
28	2105179726	0051	0058		Residential	0.26	1900	1332	21582 BAR NECK COVE ROAD	TILGHMAN
29	2105181909	0051	0068		Residential	4.30	2002	1369	21587 BAR NECK COVE ROAD	TILGHMAN
30	2105179009	0051	0060		Residential	4.15	1950	1223	21615 BAR NECK COVE ROAD	TILGHMAN

TALBOT COUNTY
BAR NECK AND FAIRBANK SEWER EXTENSION
February 24, 2023

31	2105176247	0051	0013		Residential	3.95	1968	1724	4787 BLACK WALNUT POINT ROAD	TILGHMAN
32	2105175534	0051	0012		Residential	0.46	1995	3025	4799 BLACK WALNUT POINT ROAD	TILGHMAN
33	2105187400	0051	0011		Residential	0.68	1950	1708	4807 BLACK WALNUT POINT ROAD	TILGHMAN
34	2105187516	0051	0010		Residential	2.50	1900	1386	4849 BLACK WALNUT POINT ROAD	TILGHMAN
35	2105185793	0051	0009		Residential	1.60	1950	1704	4851 BLACK WALNUT POINT ROAD	TILGHMAN
36	2105184649	0051	0003		Residential	0.41	1910	1750	4873 BLACK WALNUT POINT ROAD	TILGHMAN
37	2105176093	0051	0006		Residential	0.77	2001	2464	4879 BLACK WALNUT POINT ROAD	TILGHMAN
38	2105184576	0051	0047		Residential	0.30	1989	1056	4883 BLACK WALNUT POINT ROAD	TILGHMAN
39	2105176379	0051	0045		Residential	0.52	1949	1605	4889 BLACK WALNUT POINT ROAD	TILGHMAN
40	2105187435	0051	0025		Residential	0.36	1976	1056	4897 BLACK WALNUT POINT ROAD	TILGHMAN
41	2105178452	0051	0072		Residential	0.20	1950	840	4911 BLACK WALNUT POINT ROAD	TILGHMAN
42	2105195934	0051	0099	1	Residential	4.02	2014	3061	4926 BLACK WALNUT POINT ROAD	TILGHMAN
43	2105196000	0051	0099	2	Residential	2.00	2004	3234	4930 BLACK WALNUT POINT ROAD	TILGHMAN
44	2105185459	0051	0022		Residential	1.05	2005	1605	4933 BLACK WALNUT POINT ROAD	TILGHMAN
45	2105195381	0051	0099	3	Residential	2.00	2003	3395	4958 BLACK WALNUT POINT ROAD	TILGHMAN
46	2105195365	0051	0099	4	Residential	2.00		0	4962 BLACK WALNUT POINT ROAD	TILGHMAN
47	2105183952	0044	0024		Residential	0.85	1948	952	5008 BLACK WALNUT POINT ROAD	TILGHMAN
48	2105185343	0044	0016		Residential	0.36	1969	2030	5018 BLACK WALNUT POINT ROAD	TILGHMAN
49	2105175607	0044	0022		Residential	8.18	1990	3832	5032 BLACK WALNUT POINT ROAD	TILGHMAN
50	2105182190	0044	0013		Residential	4.57	1900	1544	5116 BLACK WALNUT POINT ROAD	TILGHMAN
51	2105184282	0044	0017	1	Agricultural	30.63	1990	1792	5125 BLACK WALNUT POINT ROAD	TILGHMAN
52	2105188016	0044	0012		Exempt Comme	1.05	1891	1293	5160 BLACK WALNUT POINT ROAD	TILGHMAN
53	2105188644	0044	0008		Residential	2.85	1995	1792	5174 BLACK WALNUT POINT ROAD	TILGHMAN
54	2105177715	0044	0011		Residential	2.63	1988	3616	5176 BLACK WALNUT POINT ROAD	TILGHMAN
55	2105190894	0044	0036	2	Residential	10.31		0	5264 BLACK WALNUT POINT ROAD	TILGHMAN
56	2105187133	0051	0080		Residential	0.23	1900	780	21399 BROAD COVE LANE	TILGHMAN
57	2105178568	0051	0024		Residential	2.71	1900	3037	21408 BROAD COVE LANE	TILGHMAN
58	2105177200	0051	0039		Residential	1.91	1910	1680	21415 BROAD COVE LANE	TILGHMAN
59	2105179513	0051	0079		Residential	0.50	1930	903	21417 BROAD COVE LANE	TILGHMAN
60	2105193354	0051	0016	1	Agricultural	28.53	1999	3276	21710 COVE POINT FARM ROAD	TILGHMAN
61	2105194253	0051	0031	5	Residential	2.00	2003	2744	21711 COVE POINT FARM ROAD	TILGHMAN
62	2105193338	0051	0016	2	Residential	14.78	2003	4771	21720 COVE POINT FARM ROAD	TILGHMAN
63	2105193362	0051	0016	3	Agricultural	9.38	1996	2520	21730 COVE POINT FARM ROAD	TILGHMAN

TALBOT COUNTY
BAR NECK AND FAIRBANK SEWER EXTENSION
February 24, 2023

64	2105183316	0051	0050		Residential	0.67	1900	1392	4815 FAIRBANK ROAD	TILGHMAN
65	2105176808	0051	0036		Residential	0.90	1912	2809	4832 FAIRBANK ROAD	TILGHMAN
66	2105181747	0051	0035		Residential	0.33	1890	1508	4836 FAIRBANK ROAD	TILGHMAN
67	2105184231	0051	0044		Residential	0.17	1900	1516	4839 FAIRBANK ROAD	TILGHMAN
68	2105185130	0051	0026		Residential	0.39	1900	3206	4846 FAIRBANK ROAD	TILGHMAN
69	2105182115	0051	0043		Residential	1.10	1890	2588	4847 FAIRBANK ROAD	TILGHMAN
70	2105177782	0051	0042		Residential	0.27	1890	1534	4849 FAIRBANK ROAD	TILGHMAN
71	2105176026	0051	0041		Residential	0.39	1900	1320	4861 FAIRBANK ROAD	TILGHMAN
72	2105180732	0051	0040		Residential	0.33	1939	750	4871 FAIRBANK ROAD	TILGHMAN
73	2105187672	0051	0048		Residential	2.03	1980	1882	4883 FAIRBANK ROAD	TILGHMAN
74	2105175844	0051	0081		Residential	0.18	1956	1440	4885 FAIRBANK ROAD	TILGHMAN
75	2105185653	0051	0023		Residential	0.50	1900	1724	4905 FAIRBANK ROAD	TILGHMAN
76	2105185661	0051	0027		Residential	0.62	1982	1056	4906 FAIRBANK ROAD	TILGHMAN
77	2105177138	0051	0086		Residential	0.19	1884	1632	4909 FAIRBANK ROAD	TILGHMAN
78	2105181577	0051	0094		Residential	1.00	1900	2246	4917 FAIRBANK ROAD	TILGHMAN
79	2105176050	0051	0020		Residential	0.42	1946	1419	4932 FAIRBANK ROAD	TILGHMAN
80	2105178614	0051	0021		Residential	3.20	1861	2875	4934 FAIRBANK ROAD	TILGHMAN
81	2105179467	0051	0019		Residential	1.72	1911	1793	4936 FAIRBANK ROAD	TILGHMAN
82	2105184614	0051	0002		Residential	0.91	1968	3788	4938 FAIRBANK ROAD	TILGHMAN
83	2105175232	0051	0018		Residential	0.72	1959	1260	4940 FAIRBANK ROAD	TILGHMAN
84	2105178134	0051	0017		Residential	2.57	1900	3300	4944 FAIRBANK ROAD	TILGHMAN
85	2105182158	0051	0034		Residential	0.48	1950	1799	21353 FAIRBANK CIR	TILGHMAN
86	2105181461	0051	0033		Residential	0.81	1900	2984	21356 FAIRBANK CIR	TILGHMAN
87	2105186617	0051	0032		Residential	0.74	2004	2312	21364 FAIRBANK CIR	TILGHMAN
88	2105177545	0051	0029		Residential	0.44	1900	3552	21368 FAIRBANK CIR	TILGHMAN
89	2105176891	0051	0028		Residential	0.93	1900	1720	21380 FAIRBANK CIR	TILGHMAN
90	2105193974	0044	0026	6	Residential	5.67	1999	2852	5141 FEATHER LANE	TILGHMAN
91	2105193966	0044	0026	5	Residential	5.84	2002	1890	5171 FEATHER LANE	TILGHMAN
92	2105193923	0044	0026	2	Residential	2.41	2006	3160	5241 FEATHER LANE	TILGHMAN
93	2105193915	0044	0026	1	Residential	2.40	1998	3032	5261 FEATHER LANE	TILGHMAN
94	2105195438	0051	0099	7	Residential	2.00		0	21207 HICKORY LANE	TILGHMAN
95	2105195411	0051	0099	6	Residential	2.00		0	21211 HICKORY LANE	TILGHMAN
96	2105195403	0051	0099	5	Residential	2.00		0	21239 HICKORY LANE	TILGHMAN

TALBOT COUNTY
BAR NECK AND FAIRBANK SEWER EXTENSION
February 24, 2023

97	2105180252	0051	0049		Residential	0.39	1900	1960	21409 WALNUT COVE LANE	TILGHMAN
98	2105185521	0051	0030		Residential	0.99	1900	1440	21415 WALNUT COVE LANE	TILGHMAN
99	2105193931	0044	0026	3	Residential	2.91		0		TILGHMAN
100	2105188466	0051	0097	7	Residential	2.06		0		TILGHMAN
101	2105191483	0051	0097	4	Residential	4.92		0		TILGHMAN
102	2105191491	0051	0097	5	Residential	7.33		0		TILGHMAN
103	2105191505	0051	0097	6	Residential	4.21		0		TILGHMAN
104	2105195284	0051	0097	8	Residential	2.20		0		TILGHMAN
105	2105195314	0051	0097	10	Residential	2.25		0		TILGHMAN
106	2105195322	0051	0097	9	Residential	2.10		0		TILGHMAN
107	2105195349	0051	0097	11	Residential	9.35		0		TILGHMAN
108	2105190908	0044	0036	3	Residential	10.00		0		TILGHMAN
109	2105190843	0051	0059		Residential	0.25		0		TILGHMAN
110	2105190622	0051	0096	1	Residential	7.46		0		TILGHMAN
111	2105177103	0051	0071		Residential	6.14	1973	928		TILGHMAN
112	2105177111	0051	0070		Residential	1.00	1930	1516		TILGHMAN
113	2105194245	0051	0031	4	Residential	2.00		0		TILGHMAN
114	2105194318	0051	0031	7	Residential	2.00		0		TILGHMAN
115	2105182174	0051	0037		Residential	0.18		0		TILGHMAN
116	2105182441	0051	0005		Residential	0.81		0		TILGHMAN
117	2105175291	0044	0014		Residential	11.73	1953	1761		TILGHMAN
118	2105180678	0044	0015		Residential	8.59		0		TILGHMAN
119	2105190649	0051	0096	3	Residential	6.45		0		TILGHMAN
120	2105175615	0051	0063		Residential	0.45		0		TILGHMAN
121	2105195489	0044	0042	2	Residential	4.28		0		TILGHMAN
122	2105198313	0044	0017	3	Agricultural	5.00		0		TILGHMAN
123	2105198321	0044	0017	2	Agricultural	5.00		0		TILGHMAN
124	2105193958	0044	0026	4	Residential	3.83		0		TILGHMAN
125	2105187966	0051	0095		Exempt	0.25		0		TILGHMAN
126	2105194172	0051	0031	1	Residential	2.00		0		TILGHMAN
127	2105182263	0051	0093		Residential	0.14	1900	1366		TILGHMAN



Maryland
Department of
the Environment

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor
Horacio Tablada, Secretary
Suzanne E. Dorsey, Deputy Secretary

June 27, 2022

The Honorable Chuck F. Callahan
Council President
County Council of Talbot County
11 North Washington Street
Easton, Maryland 21601

Dear Council President Callahan:

The Maryland Department of the Environment (MDE) has completed its review of the **Talbot County Capital Improvement Projects (Amendment) through Resolutions 315, 316, 317, 318, 319, 320 and 321** to the 2002 Talbot County Comprehensive Water and Sewer Plan (CWSP). The Talbot County Council adopted the Amendments on April 26, 2022. The amendments propose adding seven (7) capital projects for the improvements across the County, as listed as below:

- **Resolution 315**
 - Adding a new Capital Project in the Amount of \$8.6 Million for the purpose of replacing the town of Easton's Glebe Water Treatment Plant (WTP) with upgraded technology
- **Resolution 316**
 - Adding a new Capital Project in the Amount of \$800,000 for force main pressure sensors and vacuum sensors for the Region I Sewer Service Areas
- **Resolution 317**
 - Adding a new Capital Project for a new emergency generator for the Region II Water System
- **Resolution 318**
 - Adding a new Capital Project in the Amount of \$2.19 Million to Eliminate septic systems in the villages of Bar Neck and Fairbank by expanding sewer service from the Region V Wastewater System for up to 146 residential properties
- **Resolution 319**
 - Adding a new Capital Project in the Amount of \$43,688,300 for the Region V Wastewater System and eliminating septic systems in around the villages of Sherwood, Wittman, McDaniel and Claiborne by extending the sewer from Region V to Region II WWTP and reconstruction of Region II WWTP with expanding the design capacity of Region II
- **Resolution 320**
 - Adding a new Capital Project in the Amount of \$800,000 for individual grinder pumps in Region I

- **Resolution 321**
 - Adding a new Capital Project in the Amount of \$1.5 Million for sewer collection system improvements for the Region V sanitary district

Maryland Department of Planning Findings

The Maryland Department of Planning (MDP) advised MDE that these are atypical of WSP amendment reviews in that it merely revises an existing table within the adopted Talbot County WSP to add a Capital Improvement project. Therefore, this amendment does not lend itself to consideration of consistency. MDP supports all the amendments, which are in furtherance of public health, safety, and welfare of the County. For further information please see attached MDP comments and MDP contact information.

MDE Findings and Action

The County did not provide draft amendments of these Resolutions with enough time to thoroughly review and get comments from all the state reviewers. However, MDE sent preliminary comments, via email on April 11, 2022. The preliminary comments indicated MDE's concerns and requested additional information for Resolutions 315, 318 and 319. The comments and questions are enclosed. Final comments on the drafts were sent to the County on May 11, 2022.

Upon MDE's receipt of the adopted Amendments, none of the comments were addressed, and none of the requested information was provided. It was also noted that the County needs to take into consideration the time needed for MDE to review draft amendments prior to the adoption by the Council. MDE will need approximately 60 days to review draft amendments.

Resolution 315

During review of the draft Resolution, MDE requested clarification if there would be changes to the new WTP hydraulic capacity. No information regarding any change to the capacity was received. The new Easton's Glebe WTP capacity is limited to the current capacity.

Resolution 318

- The properties to be connected to sewer were not identified in the Resolution, either with maps or a list. MDE notes that any final approval of this Resolution will not constitute approval of the project beyond its inclusion for planning and updating purposes. A separate amendment will need to be submitted to MDE, reviewed and approved before continuing with any sewer reclassifications and the designation of new sewer service areas.
- The additional 146 residential properties proposed to be connected to public sewer will contribute 36,500 gallons per day (estimated at 250 gallons per equivalent dwelling unit) to the Region V (WWTP). The WWTP's current permitted design capacity is 150,000 gallons per day (gpd) and the facility's last 3 year average flow is 95,200 gpd. With this additional flow, the capacity used will

be approximately 88%. Moving forward, the County should evaluate the WWTP capacity based on MDE's guidelines (Wastewater Capacity Management Plans) and submit the report for MDE approval before any new connections to "Unprogrammed" or no planned sewer service areas can be made. The County is encouraged to contact MDE for information and guidance regarding any potential future WWTP expansion and funding. For the Wastewater Permits, contact the Wastewater Pollution Prevention and Reclamation Program at (410) 537-3599. For potential funding, the Water Quality Financing Administration can be contacted at (410) 537-3119. For information regarding potential future WWTP expansion, MDE's Engineering and Capital Projects Program can be reached at (410) 537-3445.

- MDE notes that there is a separate proposal to connect the Region V plant to Region II plant. The new and expanded Region II WWTP should be constructed before the construction of the conveyance from Region V.
- MDE advises the county to submit a draft amendment for any project regarding the connection of septic to Region V prior to any submission to the County Council with at least 60 days before the County's Public Hearing and Adoption.

Resolution 319

- The properties to be connected to the sewer system were not identified in the Resolution either with maps or a list. Any final approval of this resolution will not constitute approval of the project beyond its inclusion for planning and updating purposes. A separate amendment will still need to be submitted to MDE, reviewed and approved before continuing with any sewer reclassifications and the designation of the new sewer service areas.
- Expansion of Region II, would require the updating Region II text information in the CWSP with the proposed expansion capacity and the Table of Capital Improvement projects. The new and expanded WWTP should be constructed before the construction of the extension to any new sewer service area as much of the existing WWTP capacity has been allocated to connect other properties via past Resolutions.
- MDE advises the county to submit a draft amendment for any project regarding the connection of Region II and the expansion of Region II prior to any submission to the County Council with at least 60 days before the County's Public Hearing and Adoption.

Septic Elimination due to public health concerns

- If all areas to be connected are within the PFA, the Health Department should be consulted and a letter of support should be included.
- If any areas are non-PFA, a PFA Exception will need to be requested and granted by the Smart Growth Coordinating Committee. The properties that are

failing should be identified and a financial analysis for the remaining properties and any vacant properties that could now be developed and connected should be provided. The Health Department should be consulted, and a letter should be provided that indicates the number of failing properties and support of the non-failing to connect. It should state there is a public health and safety issue (i.e. the failing system) and State funds are needed to address the issue, and reasons it cannot be replaced with a new septic system.

General Comments

- Submission of the Resolutions, which include connections to water or sewer systems or reclassifications of properties, should be accompanied with either maps or a list of the properties connecting to the system.
- Submission of Resolutions that propose changes to the Plan text should include the text that is proposed to change.
- Proposals of expansions of wastewater treatment plant capacity and subsequent discharge may entail review for possible as there could be closures or expanded closures of Shellfish Harvesting waters.

Wetland and Waterways Comments

The Wetland and Waterways Program made the following observations/comments on the amendments 315, 318,319 and 321:

- There may be wetland or waterway impacts associated with the projects. Impacts will be reviewed by MDE during permit application review. Pre-application meetings are also available to discuss avoidance, minimization, and restoration after temporary impacts.
- Early coordination with the Program during planning stages for the projects is strongly encouraged to avoid or minimize adverse impacts from regulated activities. If there are activities proposed for new sewer or water projects in regulated resources, the County is encouraged to contact the Wetlands and Waterways Program.

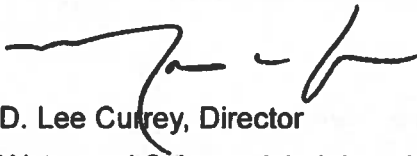
Please be reminded that the Talbot County Comprehensive Water and Sewer Plan update is overdue. Code of Maryland Regulations requires that the County provide a copy of the draft Water and Sewer Plan (WSP) to MDE prior to County adoption. This action ensures that MDE's comments can be incorporated, as appropriate, in the County's final WSP.

In accordance with §9-507(a) of the Environment Article, Annotated Code of Maryland, the Department hereby **approves** the Amendments for **Talbot County Capital Improvement Projects - Resolutions 315, 316, 317, 318, 319, 320 and 321.**

The Honorable Chuck F. Callahan
Page 5

This action completes MDE's review, as required by §9-507 of the Environment Article, Annotated Code of Maryland. If you need further assistance on these matters, please contact Heather Barthel, Deputy Director, at (410) 537-3512, toll free at (800) 633-6101, or by e-mail at heather.barthel@maryland.gov.

Sincerely,



D. Lee Currey, Director
Water and Science Administration

Enclosures

cc: Raymond P. Clarke, P.E. County Engineer, Talbot County Department of Public Works
Mary Kay Verdery, Planning Director, Talbot County Office of Planning and Zoning
Anne F. Morse, Director, Office of Environmental Health, Talbot County Health Department
Charles Boyd, Director, Planning Coordination, MDP
Heather Barthel, Deputy Director, Water and Science Administration, MDE
Walid Saffouri, Program Administrator, ECPP, OB, MDE

DRAFT Talbot Capital Improvement Projects
MDE Comments
05/05/2022

DISCLAIMER: Below are MDE's Comments on the Capital Improvement Projects, additional comments may be sent under a separate cover.

- MDE comments are as follows:
 - Resolution 315
 - Please indicate what the new Treatment Plant Hydraulic Capacity will be
 - Resolution 318
 - Please be aware that any final MDE approval of Resolution 318 will not constitute approval of the project beyond its inclusion for planning and updating purposes. A separate amendment will still need to be submitted, reviewed and approved before continuing with the designation of new sewer service areas.
 - Please provide maps/lists of any properties that are intended to be part of this new sewer service area. The maps should be clear about the service areas, both existing and what is proposed to be connected.
 - MDE advises the county to submit a draft amendment for any project regarding the connection of septic to Region V prior any submission to County Council with enough time (at least 60 days) before the County's Public Hearing and Adoption.
 - The W&S Plan should be updated to include this as a text change and map change prior to any funding request.
 - If the areas to be connected for Septic Elimination due to public health concerns:
 - If all areas to be connected are all within the PFA: The Health Department should be consulted and a letter of support should be included.
 - If any areas are non-PFA: A PFA will need to be requested and granted by the Smart Growth Coordinating Committee. The properties that are failing should be identified and a financial analysis for the remaining properties and any vacant properties that could now develop and connect should be provided. The Health Department should be consulted and a letter should be provided that indicates the number of failing properties and support of the non-failing to connect. It should state there is a public health and safety issue (i.e. the failing system) and State funds are needed to address the issue, and reasons it cannot be replaced with a new septic system.
 - Resolution 319
 - Any final MDE approval of Resolution 319 will not constitute approval of the project beyond its inclusion for planning and updating purposes. A separate amendment will still need to be submitted, reviewed and approved before continuing with the designation of new sewer service areas, expansion of Region II, which would mean updating Region II text information and proposed expansion capacity, and the table with the construction of the project.
 - Please include maps/lists of any properties that are intended to be included in the new sewer service area.

DRAFT Talbot Capital Improvement Projects
MDE Comments
05/05/2022

- MDE advises the County to submit Draft Amendments for any project regarding the connection of Region V and the expansion of Region II WWTP prior to any submission to County Council with enough time (at least 60 days) before the County's Public Hearing and Adoption
- The W&S Plan should be updated to include this as a text change and map change prior to any funding request. The maps should be clear about the service areas, both existing and what is proposed to be connected.
- If the areas to be connected for Septic Elimination due to public health concerns:
 - If all areas to be connected are all within the PFA: The Health Department should be consulted and a letter of support should be included.
 - If any areas are non-PFA: A PFA will need to be requested and granted by the Smart Growth Coordinating Committee. The properties that are failing should be identified and a financial analysis for the remaining properties and any vacant properties that could now develop and connect should be provided. The Health Department should be consulted and a letter should be provided that indicates the number of failing properties and support of the non-failing to connect. It should state there is a public health and safety issue (i.e. the failing system) and State funds are needed to address the issue, and reasons it cannot be replaced with a new septic system.
- Resolution 321
 - Please confirm the number of lots that might be enabled by this resolution through examining the deeds
 - Please confirm the amount of residences that will be built on the property
- Wetland and Waterways Program had the following comments on the amendments 315, 318, 319, and 321:
 - The amendments mentions new extensions for water and sewer lines, storage facilities, and/or treatment plants. Where practicable, locations of the utility lines and facilities should support protection measures from future development in wetlands, waterways, or floodplains, as well as avoiding and minimizing impacts from the line, treatment facility, and supporting utility infrastructure. Suggested for consideration include:
 - a prohibition on new subdivision lots in wetlands;
 - avoidance and minimization requirements;
 - site plan considerations over multiple parcels that provide for contiguous wetland and stream corridors to be maintained, with minimum fragmentation from roads, buildings, or other structures; and
 - location of new or replacement lines in existing utility or road rights-of-way
 - There may be wetland or waterway impacts associated with the project. Impacts will be reviewed by MDE during application review. Pre-application meetings are also available to discuss avoidance, minimization, and restoration after temporary impacts.

DRAFT Talbot Capital Improvement Projects
MDE Comments
05/05/2022

- MDP comments on the Resolution 318 amendment are as follows:
 - Planning notes this draft amendment is atypical of WSP amendment reviews in that it merely revises an existing table within the adopted Talbot County WSP to add a Capital Improvements project. Therefore, this draft amendment does not lend itself to consideration of consistency with the county comprehensive plan, or the adopted growth tier map until such time as the project is proposed for implementation.
- Please see attached documents for full comments



Maryland DEPARTMENT OF PLANNING

June 2, 2022

Ms. Dinorah Dalmasy, Manager, Integrated Water Planning Program Maryland
Department of the Environment
Water and Science Administration
1800 Washington Boulevard
Baltimore, MD 21230

RE: Talbot County Resolution 317—amendment to revise tables 13 and 20 (capital improvement projects) of the WSP

Dear Ms. Dalmasy:

The Maryland Department of Planning (Planning) has reviewed the referenced Talbot County Water and Sewer Plan (WSP) amendment pursuant to our mandate to advise the Maryland Department of the Environment (MDE) on local comprehensive plan consistency and other appropriate matters as required by Environment Article Section 9-507 (b)(2).

Planning notes that the adopted WSP resolution 317 (and supplemental amendment material) is identical to the previously reviewed draft amendment. Planning had no adverse comments for the draft review; those comments are provided below.

Summary of the Water and Sewer Amendment Request:

This amendment adds a capital project (for fiscal years 2023 and 2024) of \$360,000 for a new emergency generator for the Region II – Martingham sewer service area and Martingham water system. To reflect this capital project the following WSP tables are proposed to be amended:

- Table 13. Martingham Water System
Capital Improvement Projects
- Table 20. Martingham Sewerage System
Capital Improvement Projects

Planning Matters:

Planning notes this amendment is atypical of WSP amendment reviews in that it merely revises the text within existing tables within the adopted Talbot County WSP. Therefore, this amendment does not lend itself to consideration of consistency with the county comprehensive plan. Planning supports this amendment, which is in furtherance of public health, safety, and welfare by improving the continued operation of the Martingham water and sewerage systems during emergency conditions.

If you have any questions or concerns regarding these comments, please contact Keith Lackie at 410-713-3464, or keith.lackie@maryland.gov.

Sincerely,



Charles W. Boyd, AICP
Director of Planning Coordination

cc: Robin Pellicano; Nicholai Francis-Lau; Steve Alfaro; and Hannah C. Benzion, MDE
Tony Redman, DNR; Dwight Dotterer, MDA
Joseph Griffiths; Tracey Gordy; Jason Dubow; Keith Lackie; Sylvia Mosser; and Cassandra Malloy, Planning



Maryland DEPARTMENT OF PLANNING

June 2, 2022

Ms. Dinorah Dalmasy, Manager, Integrated Water Planning Program Maryland
Department of the Environment
Water and Science Administration
1800 Washington Boulevard
Baltimore, MD 21230

RE: Talbot County Resolution 319—amendment to revise table 27 of the WSP

Dear Ms. Dalmasy:

The Maryland Department of Planning (Planning) has reviewed the referenced Talbot County Water and Sewer Plan (WSP) amendment pursuant to our mandate to advise the Maryland Department of the Environment (MDE) on local comprehensive plan consistency and other appropriate matters as required by Environment Article Section 9-507 (b)(2).

Planning notes that the adopted WSP resolution 319 (and supplemental amendment material) is identical to the previously reviewed draft amendment. Planning had no adverse comments for the draft review; those comments are provided below.

Summary of the Sewer Amendment Request:

This amendment adds to the WSP “Table 27. Talbot County Region V (Tilghman) Sanitary District - Capital Improvement Projects” (for fiscal years 2023 and 2024) a new capital project in the amount of \$43,688,300 for the purpose of an ENR upgrade to the Region V (Tilghman) WWTP to eliminate septic systems in and around the villages of Sherwood, Wittman, McDaniel, and Claiborne by extending sewer from the Region V (Tilghman) wastewater system.

Planning Matters:

Planning notes this amendment is atypical of WSP amendment reviews in that it merely revises an existing table within the adopted Talbot County WSP to add a Capital Improvements project. Therefore, this amendment does not lend itself to consideration of consistency with the county comprehensive plan, or the adopted growth tier map until such time as the project is proposed for implementation. Planning notes that this capital project is in furtherance of the 2018 Talbot County WSP amendment (Resolution 250), to provide for the extension of public sewer service to properties identified as Tier III-B -Water Quality Strategy Areas or Tier III-C -Areas of Limited Sewer Service in the Talbot County comprehensive plan. Planning noted in our February 28, 2018 letter to MDE regarding Resolution 250 that reclassifying areas for sewer service with a Community Character land use designation in the Talbot County Comprehensive Plan, which the villages of Sherwood, Wittman, McDaniel, and Claiborne are designated, appears to be consistent with the Comprehensive Plan.

If you have any questions or concerns regarding these comments, please contact Keith Lackie at 410-713-3464, or keith.lackie@maryland.gov.

Sincerely,



Charles W. Boyd, AICP

Director of Planning Coordination

cc: Robin Pellicano; Nicholai Francis-Lau; Steve Alfaro; and Hannah C. Benzion, MDE
Tony Redman, DNR
Dwight Dotterer, MDA
Joseph Griffiths; Tracey Gordy; Jason Dubow; Keith Lackie; Sylvia Mosser; and Cassandra Malloy, Planning



Maryland DEPARTMENT OF PLANNING

June 2, 2022

Ms. Dinorah Dalmasy, Manager, Integrated Water Planning Program Maryland
Department of the Environment
Water and Science Administration 1800
Washington Boulevard
Baltimore, MD 21230

RE: Talbot County Resolution 320—amendment to revise table 23 of the WSP

Dear Ms. Dalmasy:

The Maryland Department of Planning (Planning) has reviewed the referenced Talbot County Water and Sewer Plan (WSP) amendment pursuant to our mandate to advise the Maryland Department of the Environment (MDE) on local comprehensive plan consistency and other appropriate matters as required by Environment Article Section 9-507 (b)(2).

Planning notes that the adopted WSP resolution 320 (and supplemental amendment material) is identical to the previously reviewed draft amendment. Planning had no adverse comments for the draft review; those comments are provided below.

Summary of the Sewer Amendment Request:

This amendment adds to the WSP "Table 23. Talbot County Region I (Unionville, Tunis Mills, Copperville) Sanitary District - Capital Improvement Projects" (for fiscal years 2023 and 2024) a new capital project in the amount of \$800,000 for individual grinder pumps in the Region I (Unionville, Tunis Mills, Copperville) sewer service area. More specifically, this capital project will replace all E-One Series 200 and 2000 Grinder Pumps with E-One Extreme Grinder Pumps.

Planning Matters:

Planning notes this amendment is atypical of WSP amendment reviews in that it merely revises an existing table within the adopted Talbot County WSP to add a Capital Improvement project. Therefore, this amendment does not lend itself to consideration of consistency with the county comprehensive plan until such time as the project is implemented. Planning notes that this capital project is in furtherance of public health, safety, and welfare by improving the existing sewer Region I service system.

If you have any questions or concerns regarding these comments, please contact Keith Lackie at 410-713-3464, or keith.lackie@maryland.gov.

Sincerely,


Charles W. Boyd, AICP

Director of Planning Coordination

cc: Robin Pellicano; Nicholai Francis-Lau; Steve Alfaro; and Hannah C. Benzion, MDE Tony Redman, DNR
Dwight Dotterer, MDA
Joseph Griffiths; Tracey Gordy; Jason Dubow; Keith Lackie; Sylvia Mosser; and Cassandra Malloy, Planning



Maryland DEPARTMENT OF PLANNING

June 2, 2022

Ms. Dinorah Dalmasy, Manager, Integrated Water Planning Program Maryland
Department of the Environment
Water and Science Administration 1800
Washington Boulevard
Baltimore, MD 21230

RE: Talbot County Resolution 321—amendment to revise table 27 of the WSP

Dear Ms. Dalmasy:

The Maryland Department of Planning (Planning) has reviewed the referenced Talbot County Water and Sewer Plan (WSP) amendment pursuant to our mandate to advise the Maryland Department of the Environment (MDE) on local comprehensive plan consistency and other appropriate matters as required by Environment Article Section 9-507 (b)(2).

Planning notes that the adopted WSP resolution 321 (and supplemental amendment material) is identical to the previously reviewed draft amendment. Planning had no adverse comments for the draft review; those comments are provided below.

Summary of the Sewer Amendment Request:

This amendment adds to the WSP “Table 27. Talbot County Region V (Tilghman) Sanitary District - Capital Improvement Projects” (for fiscal years 2023 and 2024) a new capital project in the amount of \$1.5 million for the purpose of sewer collection system improvements for the Region V (Tilghman) sanitary district. More specifically, this project will rehabilitate and replace gravity sewer lines in the Region V sanitary district and upgrade sewer manholes and manhole frames and covers to make the system more watertight.

Planning Matters:

Planning notes this amendment is atypical of WSP amendment reviews in that it merely revises an existing table to add a Capital Improvement project to rehabilitate and upgrade the existing Tilghman sewer collection system within the adopted Talbot County WSP. Therefore, this amendment does not lend itself to consideration of consistency with the county comprehensive plan. Planning notes that this capital project is in furtherance of public health, safety, and welfare by improving the existing sewer service system.

If you have any questions or concerns regarding these comments, please contact Keith Lackie at 410-713-3464, or keith.lackie@maryland.gov.

Sincerely,

Charles W. Boyd, AICP
Director of Planning Coordination

cc: Robin Pellicano; Nicholai Francis-Lau; Steve Alfaro; and Hannah C. Benzion, MDE
Tony Redman, DNR
Dwight Dotterer, MDA
Joseph Griffiths; Tracey Gordy; Jason Dubow; Keith Lackie; Sylvia Mosser; and Cassandra Malloy, Planning

Larry Hogan, Governor
Boyd Rutherford, Lt. Governor



Robert S. McCord, Secretary
Sandy Schrader, Deputy Secretary

Maryland DEPARTMENT OF PLANNING

June 2, 2022

Ms. Dinorah Dalmasy, Manager, Integrated Water Planning Program Maryland Department
of the Environment
Water and Science Administration 1800
Washington Boulevard
Baltimore, MD 21230

RE: Talbot County Resolution 315—amendment to revise “Table 7 – Easton Water System Capital
Improvement Projects” of WSP

Dear Ms. Dalmasy:

The Maryland Department of Planning (Planning) has reviewed the referenced Talbot County Water and Sewer Plan (WSP) amendment pursuant to our mandate to advise the Maryland Department of the Environment (MDE) on local comprehensive plan consistency and other appropriate matters as required by Environment Article Section 9-507 (b)(2).

Planning notes that the adopted WSP resolution 315 (and supplemental amendment material) is identical to the previously reviewed draft amendment. Planning had no adverse comments for the draft review; those comments are provided below.

Summary of the Water Amendment Request:

This amendment amends the Talbot County WSP, to add to “Table 7 – Easton Water System Capital Improvement Projects” (for fiscal years 2023 and 2024) a new capital project in the amount of \$8.6 million for the purpose of replacing the Town of Easton's Glebe water treatment plant with upgraded technology.

Planning Matters:

Planning notes this amendment is atypical of WSP amendment reviews in that it merely revises an existing table within the adopted Talbot County WSP to add a Capital Improvement project. Therefore, this amendment does not lend itself to consideration of consistency with the Town of Easton comprehensive plan until such time as the project is implemented. Planning supports this amendment, which will provide improved drinking water to 1,632 commercial properties and 6,877 residential properties and serve an estimated 9,000 equivalent dwelling units (EDUs).

If you have any questions or concerns regarding these comments, please contact Keith Lackie at 410-713-3464, or keith.lackie@maryland.gov.

Sincerely,

Charles W. Boyd, AICP
Director of Planning Coordination

cc: Robin Pellicano; Nicholai Francis-Lau; Steve Alfaro; and Hannah C. Benzion, MDE
Tony Redman, DNR
Dwight Dotterer, MDA
Joseph Griffiths; Tracey Gordy; Jason Dubow; Keith Lackie; Sylvia Mosser; and Cassandra Malloy, Planning



Maryland DEPARTMENT OF PLANNING

June 2, 2022

Ms. Dinorah Dalmasy, Manager, Integrated Water Planning Program Maryland
Department of the Environment
Water and Science Administration
1800 Washington Boulevard
Baltimore, MD 21230

RE: Talbot County Resolution 316—amendment to revise Tables 20, 23, and 25 (capital improvement projects) of the WSP

Dear Ms. Dalmasy:

The Maryland Department of Planning (Planning) has reviewed the referenced Talbot County Water and Sewer Plan (WSP) amendment pursuant to our mandate to advise the Maryland Department of the Environment (MDE) on local comprehensive plan consistency and other appropriate matters as required by Environment Article Section 9-507 (b)(2).

Planning notes that the adopted WSP resolution 316 (and supplemental amendment material) is identical to the previously reviewed draft amendment. Planning had no adverse comments for the draft review; those comments are provided below.

Summary of the Sewer Amendment Request:

This amendment adds a capital project (for fiscal years 2023 and 2024) for \$800,000 to install sensors in the force mains from the Unionville pump station to the Royal Oak pump station # 1, to a sanitary sewer manhole on Madison Avenue in St. Michaels, and in the Martingham vacuum collection system. To reflect this capital project, the following WSP tables are proposed to be amended:

Table 20. Martingham Sewerage System
Capital Improvement Projects

Table 23. Talbot County Region I Sanitary District (Unionville, Tunis Mills, Copperville)
Capital Improvement Projects

Table 25. Talbot County Region II Sanitary District (Royal Oak, Newcomb, Bellevue)
Capital Improvement Projects

Planning Matters:

Planning notes this amendment is atypical of WSP amendment reviews in that it merely revises existing text to include capital improvement projects within three tables of the adopted Talbot County WSP. Therefore, this draft amendment does not lend itself to consideration of consistency with the county comprehensive plan. Planning supports this amendment, which is in furtherance of public health, safety, and welfare by more speedily locating a vacuum leak, thus avoiding sanitary sewer overflows.

If you have any questions or concerns regarding these comments, please contact Keith Lackie at 410-713-3464, or keith.lackie@maryland.gov.

Sincerely,



Charles W. Boyd, AICP
Director of Planning Coordination

cc: Robin Pellicano; Nicholai Francis-Lau; Steve Alfaro; and Hannah C. Benzion, MDE;
Tony Redman, DNR; Dwight Dotterer, MDA
Joseph Griffiths; Tracey Gordy; Jason Dubow; Keith Lackie; Sylvia Mosser; and Cassandra Malloy, Planning

PUBLIC HEARING

Having been posted and Notice, Time and Place of Hearing, and Title of Resolution No. 339 having been published, a public hearing was held on Tuesday, April 11, 2023 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland.

BY THE COUNCIL

Read the second time:

Enacted: May 9, 2023

By Order:


Susan W. Moran, Secretary

Callahan	-	Aye
Stepp	-	Aye
Leshner	-	Aye
Mielke	-	Aye
Haythe	-	Aye

Effective: May 9, 2023