

**COUNTY COUNCIL**

**OF**

**TALBOT COUNTY**

2012 Legislative Session, Legislative Day No. March 27, 2012

Resolution No. 193

Introduced by: Mr. Duncan, Mr. Hollis, Mr. Pack, Ms. Price

**A RESOLUTION TO AMEND THE COMPREHENSIVE WATER & SEWER PLAN SEWER SERVICE AREA OF THE REGION V WASTEWATER TREATMENT PLANT, TO INCLUDE AN IMPROVED RESIDENTIAL PARCEL CONSISTING OF APPROXIMATELY 1.6480 ACRES OWNED BY JAMES W. AND SYLVIA M. ROBERTSON, 5560 LEEWARD LANE, TILGHMAN, MARYLAND, 21671, TAX MAP 44, PARCEL 35, LOT 10, AND TO RECLASSIFY THAT PROPERTY FROM “UN-PROGRAMMED” TO “S-1” IMMEDIATE PRIORITY STATUS**

By the Council: March 27, 2012

Introduced, read the first time, and ordered posted, with Public Hearing scheduled on Tuesday, April 24, 2012 at 6:30 p.m. in the Bradley Meeting Room, Courthouse, South Wing, 11 N. Washington Street, Easton, Maryland 21601.

By Order:



Susan W. Moran, Secretary

**A RESOLUTION TO AMEND THE COMPREHENSIVE WATER & SEWER PLAN SEWER SERVICE AREA OF THE REGION V WASTEWATER TREATMENT PLANT, TO INCLUDE AN IMPROVED RESIDENTIAL PARCEL CONSISTING OF APPROXIMATELY 1.6480 ACRES OWNED BY JAMES W. AND SYLVIA M. ROBERTSON, 5560 LEEWARD LANE, TILGHMAN, MARYLAND, 21671, TAX MAP 44, PARCEL 35, LOT 10, AND TO RECLASSIFY THAT PROPERTY FROM “UN-PROGRAMMED” TO “S-1” IMMEDIATE PRIORITY STATUS**

**WHEREAS**, James W. Robertson and Sylvia M. Robertson (“Owners”) have requested an amendment of the Comprehensive Water & Sewer Plan (“CWSP”) sewer service area to include certain improved residential real property consisting of approximately 1.6480 acres located at 5560 Leeward Lane, Tilghman, Maryland, 21671, Tax Map 44, Parcel 35, Lot 10 (the “Property”). The location of the Property is shown on the map entitled “Talbot County Region V Sanitary District, Proposed S-1 Sewer Service Area” dated March 8, 2012, attached hereto as Exhibit “A” and incorporated by reference herein; and,

**WHEREAS**, Owners have requested the County to reclassify the Property from its current classification of “Un-programmed” to “S-1” Immediate Priority; and,

**WHEREAS**, the CWSP, Chapter 3, *Amendment Procedures*, provides that applications for amendments shall be reviewed by the Planning Commission and the Public Works Advisory Board, the Talbot County Health Department, and the Maryland Department of the Environment for compatibility with use and planning policies and facility permit restrictions, if any; and,

**WHEREAS**, Environment Article § 9-506, Md. Ann. Code requires the proposed amendment to be submitted to the Planning Commission for review and comment within a 30 day period for consistency with the County Comprehensive Plan, and requires the Planning Commission to certify that the proposed amendment is consistent with the County Comprehensive Plan prepared under Article 25A § 5 (X), Md. Ann. Code.; and,

**WHEREAS**, Environment Article § 9-503 (d), Md. Ann. Code requires the County to publish a summary of the proposed amendment in at least one newspaper of general circulation in the County once a week for two successive weeks, with the first publication of notice appearing at least 14 days before the hearing, and conduct a public hearing on the proposed amendment before the County Council adopts any proposed amendment.

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

1. The above recitals are incorporated by reference as a substantive part of this Resolution.
2. The Council finds that the procedural requirements set forth herein have been fulfilled.

3. The County has verified that, by including the Property approved by this proposed amendment, within the Region V Wastewater Treatment Plant sewer service area, and by amending the classification of this Property from “Un-programmed” to “S-1 Immediate Priority,” sewer service will be properly planned, controlled, and regulated.

4. The proposed amendment to the CWSP is hereby APPROVED 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.

5. The CWSP shall be amended to include the Property in the Region V sewer service area, and the classification of the Property shall be changed from “Un-programmed” to “S-1 Immediate Priority” for sewer service.

6. The County Engineer is hereby directed to forward this Resolution together with such other additional information as may be required to Maryland Department of the Environment for their review pursuant to Environment Article § 9-507, Md. Ann. Code, and to amend the CWSP in conformity with the approval process set forth therein.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon its passage and the amendment to the CWSP shall take effect upon final approval by Maryland Department of the Environment pursuant to § 9-507, Md. Ann. Code.

**PUBLIC HEARING**

Resolution No. 193, having been posted and a Notice of the Time and Place of Hearing and Title having been published, a public hearing was held on Tuesday, April 24, 2012 at 6:30 p.m. the Bradley Meeting Room, Courthouse, South Wing, 11 North Washington St., Easton, Maryland 21601.

**BY THE COUNCIL**

Read second time:

Enacted: April 24, 2012

By Order:   
Secretary

Pack	- Aye
Hollis	- Aye
Bartlett	- Nay
Price	- Aye
Duncan	- Absent

**Exhibit A  
Proposed Amendment to the  
Comprehensive Water & Sewer Plan**

Talbot County Public Works  
March 8, 2012

